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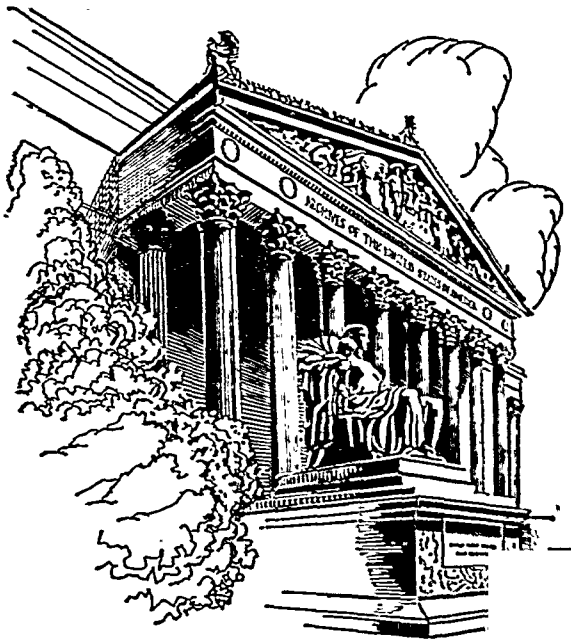

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Title 3—THE PRESIDENT

Executive Order 11375

AMENDING EXECUTIVE ORDER NO 11246, RELATING TO EQUAL EMPLOYMENT OPPORTUNITY

It is the policy of the United States Government to provide equal opportunity in Federal employment and in employment by Federal contractors on the basis of merit and without discrimination because of race, color, religion, sex or national origin.

The Congress, by enacting Title VII of the Civil Rights Act of 1964, enunciated a national policy of equal employment opportunity in private employment, without discrimination because of race, color, religion, sex or national origin.

Executive Order No. 11246 [1] of September 24, 1965, carried forward a program of equal employment opportunity in Government employment, employment by Federal contractors and subcontractors and employment under Federally assisted construction contracts regardless of race, creed, color or national origin.

It is desirable that the equal employment opportunity programs provided for in Executive Order No. 11246 expressly embrace discrimination on account of sex.

NOW, THEREFORE, by virtue of the authority vested in me as President of the United States by the Constitution and statutes of the United States, it is ordered that Executive Order No. 11246 of September 24, 1965, be amended as follows:

(1) Section 101 of Part I, concerning nondiscrimination in Government employment, is revised to read as follows:

"SEC. 101. It is the policy of the Government of the United States to provide equal opportunity in Federal employment for all qualified persons, to prohibit discrimination in employment because of race, color, religion, sex or national origin, and to promote the full realization of equal employment opportunity through a positive, continuing program in each executive department and agency. The policy of equal opportunity applies to every aspect of Federal employment policy and practice."

(2) Section 104 of Part I is revised to read as follows:

"SEC. 104. The Civil Service Commission shall provide for the prompt, fair, and impartial consideration of all complaints of discrimination in Federal employment on the basis of race, color, religion, sex or national origin. Procedures for the consideration of complaints shall include at least one impartial review within the executive department or agency and shall provide for appeal to the Civil Service Commission."

(3) Paragraphs (1) and (2) of the quoted required contract provisions in section 202 of Part II, concerning nondiscrimination in employment by Government contractors and subcontractors, are revised to read as follows:

[1] 30 F.R. 12319; 3 CFR, 1964–1965 Comp., p. 339.

"(1) The contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin. The contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, religion, sex or national origin. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the contracting officer setting forth the provisions of this nondiscrimination clause.

"(2) The contractor will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex or national origin." (4) Section 203 (d) of Part II is revised to read as follows:

"(d) The contracting agency or the Secretary of Labor may direct that any bidder or prospective contractor or subcontractor shall submit, as part of his Compliance Report, a statement in writing, signed by an authorized officer or agent on behalf of any labor union or any agency referring workers or providing or supervising apprenticeship or other training, with which the bidder or prospective contractor deals, with supporting information, to the effect that the signer's practices and policies do not discriminate on the grounds of race, color, religion, sex or national origin, and that the signer either will affirmatively cooperate in the implementation of the policy and provisions of this order or that it consents and agrees that recruitment, employment, and the terms and conditions of employment under the proposed contract shall be in accordance with the purposes and provisions of the order. In the event that the union, or the agency shall refuse to execute such a statement, the Compliance Report shall so certify and set forth what efforts have been made to secure such a statement and such additional factual material as the contracting agency or the Secretary of Labor may require."

The amendments to Part I shall be effective 30 days after the date of this order. The amendments to Part II shall be effective one year after the date of this order.

Lyndon B. Johnson

THE WHITE HOUSE,
October 13, 1967.

[F.R. Doc. 67-12335; Filed, Oct. 13, 1967; 5:10 p.m.]

Rules and Regulations

Title 7—AGRICULTURE

Chapter IV—Federal Crop Insurance Corporation, Department of Agriculture

[Amdt. 95]

PART 401—FEDERAL CROP INSURANCE

Subpart—Regulations for the 1961 and Succeeding Crop Years

COTTON

Correction

In F.R. Doc. 67-10703 appearing at page 12989 of the issue for Wednesday, September 13, 1967, the county name shown as "McCullen" in column 1, second paragraph under closing date for Texas, second line, is corrected to read "McMullen".

Chapter VII—Agricultural Stabilization and Conservation Service (Agricultural Adjustment), Department of Agriculture

SUBCHAPTER B—FARM MARKETING QUOTAS AND ACREAGE ALLOTMENTS

PART 722—COTTON

Subpart—1968 Crop of Extra Long Staple Cotton; Acreage Allotments and Marketing Quotas

Basis and purpose. The provisions of §§ 722.558 to 722.560 are issued pursuant to the Agricultural Adjustment Act of 1938, as amended (52 Stat. 31, as amended; 7 U.S.C. 1281 et seq.) (referred to as the "act"), with respect to the 1968 crop of extra long staple cotton. The term "extra long staple cotton" (referred to as "ELS cotton") as used in § 722.558 (a) and (b) means the kinds of cotton described in section 347(a) of the act, including American-Egyptian cotton, Sea Island cotton in both the continental United States and Puerto Rico, and Sealand cotton, and all imports of similar type cotton produced in Egypt, Sudan, and Peru. Exports of ELS cotton from Commodity Credit Corporation stocks estimated to be made pursuant to 7 U.S.C. 1852a are excluded from the determinations of estimated exports under § 722.558 (b) and (d). ELS cotton as used in §§ 722.558 (c) and (d) and 722.559 means the kinds of cotton described in section 347(a) of the act. The findings and determinations in §§ 722.558 to 722.560 have been made on the basis of the latest available statistics of the Federal Government. The following matters are included in §§ 722.558 to 722.560:

(a) Proclamation for the 1968 crop of ELS cotton of a national marketing quota and a national acreage allotment.

(b) Apportionment of the national allotment to the States.

Notice that the Secretary was preparing to determine whether a national marketing quota would be required under the act for the 1968 crop of ELS cotton and notice with respect to the matters listed in paragraphs (a) and (b) of this preamble was published in the FEDERAL REGISTER on August 9, 1967 (32 F.R. 11475), in accordance with 5 U.S.C. 553. No written submissions were received in response to such notice.

In order that State and county ASC committees may complete the necessary work in issuing farm allotment notices for the 1968 crop of ELS cotton as soon as possible, it is essential that §§ 722.558 to 722.560 be made effective as soon as possible. Accordingly, it is hereby determined and found that compliance with the 30-day effective date requirement of 5 U.S.C. 553 is impracticable and contrary to the public interest and §§ 722.558 to 722.560 shall be effective upon filing this document with the Director, Office of the FEDERAL REGISTER.

§ 722.558 National marketing quota for the 1968 crop of ELS cotton.

(a) *Finding of total supply.* As defined in section 301(b)(16)(C) of the act, the "total supply" of ELS cotton for the marketing year beginning August 1, 1967 (in terms of running bales or the equivalent), consists of the sum of (1) "carryover" of ELS cotton on August 1, 1967, (2) estimated production of ELS cotton in the United States during 1967, and (3) estimated imports of ELS cotton into the United States during the marketing year beginning August 1, 1967. Pursuant to Public Law 87-548 enacted July 25, 1962 (76 Stat. 218), the term "carryover" does not include any domestically grown ELS cotton which was transferred or made available to the Commodity Credit Corporation from the stockpile established under the Strategic and Critical Materials Stockpiling Act, as amended (50 U.S.C. 98), and which has not been sold by the Commodity Credit Corporation; and does not include any foreign-grown ELS cotton which was transferred to the Commodity Credit Corporation from such stockpile. The following finding of total supply is hereby made by the Secretary:

(i) Total supply of ELS cotton for the marketing year beginning August 1, 1967, in running bales or equivalent:

	Bales
(a) Carryover	221,200
(b) Estimated production	67,000
(c) Estimated imports	85,600
Total supply	373,800

(b) *Finding of normal supply.* As defined in section 301(b)(10)(C) of the act, the "normal supply" of ELS cotton for the marketing year beginning August 1, 1967 (in terms of running bales or equivalent), consists of the sum of (1) estimated domestic consumption of ELS cotton for the marketing year beginning August 1, 1967, (2) estimated exports of ELS cotton during the marketing year beginning August 1, 1967, and (3) 30 percent of the sum of such estimated domestic consumption and estimated exports as an allowance for carryover. The following finding of normal supply is hereby made by the Secretary:

(i) Normal supply of ELS cotton for the marketing year beginning August 1, 1967, in running bales or equivalent:

	Bales
(a) Estimated domestic consumption	140,000
(b) Estimated exports	0
(c) 30 percent allowance for carryover	42,000
Normal supply	182,000

(ii) It is also hereby determined that 108 percent of such normal supply equals 196,560 running bales or equivalent.

(c) *Proclamation of national marketing quota.* It is hereby determined and proclaimed by the Secretary that the total supply of ELS cotton for the marketing year beginning August 1, 1967, will exceed the normal supply of ELS cotton for such marketing year by more than 8 percent. Therefore, a national marketing quota shall be in effect for the crop of ELS cotton produced in the calendar year 1968.

(d) *Proclamation of amount of national marketing quota in bales.* Section 347 of the act provides that the amount of the national marketing quota for the 1968 crop of ELS cotton (in terms of standard bales of 500 pounds gross weight) shall be the largest of the following:

(1) The number of bales of ELS cotton equal to the estimated domestic consumption plus exports for the marketing year beginning August 1, 1968; less the estimated imports for the marketing year beginning August 1, 1968; plus such additional number of bales, if any, as the Secretary determines is necessary to assure adequate working stocks in trade channels until ELS cotton from the next crop becomes readily available without resort to Commodity Credit Corporation stocks.

(2) 30,000 bales of ELS cotton.

(3) The number of bales of ELS cotton equal to 30 percent of the estimated

domestic consumption plus exports of ELS cotton for the marketing year beginning August 1, 1967.

It is hereby determined and proclaimed that the national marketing quota for the 1968 crop of ELS cotton (in terms of standard bales of 500 pounds gross weight) shall be 75,211 bales based on subparagraph (1) of this paragraph including an adjustment of 14,450 bales to assure adequate working stocks. This determination is based on the following data:

Determinations for purposes of:

(i) Section 722.558(d) (3),[1] 42,000.
(ii) Section 722.558(d) (1),[1] 75,211.

Based on:

(iii) Estimated domestic consumption,[2] 145,000.
(iv) Estimated exports,[2] none.
(v) Estimated imports,[3] 85,600.
(vi) Adjustment for stocks,[1] 14,450.

§ 722.559 National acreage allotment for the 1968 crop of ELS cotton.

It is hereby determined and proclaimed that a national acreage allotment shall be in effect for the crop of ELS cotton produced in the calendar year 1968. The amount of such national allotment is 70,500 acres (rounded to nearest 100 acres) calculated by multiplying the national quota in bales by 480 pounds (net weight of a standard bale) and dividing the result by the national average yield of 512 pounds per acre of ELS cotton for the 4 calendar years 1963, 1964, 1965, and 1966.

§ 722.560 Apportionment of national allotment to the States.

The national allotment of 70,500 acres is apportioned to the States in accordance with section 344(b) of the act as follows:

State	*State allotment (acres)*
Arizona	30,610
California	474
Florida	181
Georgia	97
New Mexico	14,264
Texas	24,851
Puerto Rico	23
U.S. total	70,500

(Secs. 301, 342, 344, 347, 375, 52 Stat. 38, as amended; 63 Stat. 670, as amended; 63 Stat. 675, as amended; 52 Stat. 66, as amended; 7 U.S.C. 1301, 1342, 1344, 1347, 1375.)

Effective date: Date of filing this document with the Director, Office of the Federal Register.

Signed at Washington, D.C., on October 12, 1967.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 67-12261; Filed, Oct. 12, 1967; 4:35 p.m.]

[1] Standard bales.
[2] Running bales.
[3] Equivalent running bales.

PART 722—COTTON

Subpart—1968 Crop of Extra Long Staple Cotton; Acreage Allotments and Marketing Quotas

NATIONAL MARKETING QUOTA REFERENDUM

Basis and purpose. Section 722.561 is issued pursuant to the Agricultural Adjustment Act of 1938, as amended (52 Stat. 31, as amended; 7 U.S.C. 1281 et seq.). This section fixes the period for holding the national marketing quota referendum under section 343 of the act.

Notice that the Secretary was preparing to fix the period for holding the referendum was published in the FEDERAL REGISTER on August 9, 1967 (32 F.R. 11475), in accordance with 5 U.S.C. 553. No written submissions were received in response to such notice. It will serve no purpose to delay the effective date of this section and accordingly, it is hereby determined and found that compliance with the 30-day effective date requirement of 5 U.S.C. 553 is impracticable and contrary to the public interest and § 722.561 shall be effective upon publication of this document in the FEDERAL REGISTER.

§ 722.561 National marketing quota referendum for the 1968 crop of extra long staple cotton.

The national marketing quota referendum for the 1968 crop of extra long staple cotton shall be held during the referendum period December 4 to 8, 1967, each inclusive, by mail ballot in accordance with Part 717 of this chapter (§ 717.17, 31 F.R. 12011). It is hereby determined that such referendum shall not be conducted by voting at polling places.

(Sec. 343, 375, 63 Stat. 670, as amended, 52 Stat. 66, as amended; 7 U.S.C. 1343, 1375)

Effective date: Date of publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on October 12, 1967.

H. D. GODFREY,
Administrator, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 67-12262; Filed, Oct. 12, 1967; 4:35 p.m.]

SUBCHAPTER I—DETERMINATION OF PRICES
[Sugar Determination 874.20]

PART 874—SUGARCANE; LOUISIANA

Fair and Reasonable Prices for 1967 Crop

Pursuant to the provisions of section 301(c)(2) of the Sugar Act of 1948, as amended (herein referred to as "act"), after investigation and due consideration of the evidence presented at the public hearing held in Houma, La., on June 23, 1967, the following determination is hereby issued:

§ 874.20 Fair and reasonable prices for the 1967 crop of Louisiana sugarcane.

A producer of sugarcane in Louisiana who is also a processor of sugarcane, to which this section applies as provided in paragraph (i) of this section (herein referred to as "processor"), shall have paid or contracted to pay for sugarcane of the 1967 crop grown by other producers and processed by him, or shall have processed sugarcane of other processors under a toll agreement, in accordance with the following requirements.

(a) *Definitions.* For the purpose of this section the term:

(1) "Price of raw sugar" means the price of 96° raw sugar quoted by the Louisiana Sugar Exchange, Inc., except that if the Director of the Policy and Program Appraisal Division, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, Washington, D.C. 20250, determines that such price does not reflect the true market value of raw sugar, because of inadequate volume, failure to report sales in accordance with the rules of such Exchange or other factors, he may designate the price to be effective under this determination, which he determines will reflect the true market value of raw sugar.

(2) "Price of blackstrap molasses" means the price per gallon of blackstrap molasses quoted by the Louisiana Sugar Exchange, Inc., except that if the Director of the Policy and Program Appraisal Division determines that such price does not reflect the true market value of blackstrap molasses, because of inadequate volume, failure to report sales in accordance with the rules of such Exchange or other factors, he may designate the price to be effective under this determination, which he determines will reflect the true market value of blackstrap molasses.

(3) "Weekly average price" means the simple average of the daily prices of raw sugar or blackstrap molasses, for the week (Friday through the following Thursday), in which the sugarcane is delivered.

(4) "Season's average price" means the simple average of the weekly prices of raw sugar or of blackstrap molasses for the period October 6, 1967, through April 25, 1968.

(5) "Delivered average price" means the weighted average price of 1967-crop raw sugar determined by weighting (a) the simple average of the daily prices of raw sugar for the period October 6, 1967, through December 31, 1967, by the quantity of 1967-crop raw sugar marketed under the processors' 1967 marketing allotment; and (b) the simple average of the daily prices of raw sugar for the period January 1, 1968, through February 29, 1968, by the quantity of 1967-crop raw sugar not marketed in 1967, under the processors' 1967 marketing allotment.

(6) "Net sugarcane" means the quantity of sugarcane obtained by deducting the weight of trash from the gross weight of sugarcane as delivered by a producer.

(7) "Trash" means green or dried leaves, sugarcane tops, dirt, and all other

extraneous material delivered with sugarcane.

(8) "Standard sugarcane" means net sugarcane, containing 12 percent sucrose in the normal juice with a purity of at least 76.00 but not more than 76.49 percent.

(9) "Salvage sugarcane" means any sugarcane containing either less than 9.5 percent sucrose in the normal juice or less than 68 purity in the normal juice.

(10) "Percent sucrose in normal juice" means average percent sucrose in sample mill juice obtained from producer's sugarcane multiplied by a factor representing the ratio of factory normal juice sucrose to the average percent sucrose in sample mill juice extracted from producers' sugarcane.

(11) "Average percent sucrose in sample mill juice" means the percentage of sucrose solids in juice extracted from samples of producers' sugarcane by the sample mill.

(12) "Factory crusher juice Brix" means the percentage of soluble solids in undiluted mill crusher juice as determined by direct analysis in accordance with standard procedures.

(13) "Factory normal juice sucrose" means the percentage of sucrose in undiluted juice extracted by a mill tandem as determined by multiplying factory dilute juice purity by factory normal juice Brix.

(14) "Factory normal juice Brix" means the percentage of soluble solids in the undiluted juice extracted from sugarcane by mill tandem as determined by multiplying factory crusher juice Brix by a dry milling factor representing the ratio of factory normal juice Brix to factory crusher juice Brix.

(15) "Factory dilute juice purity" means the ratio of factory dilute juice sucrose to factory dilute juice Brix which are determined by direct analysis.

(16) "Percent purity of normal juice" means the ratio which the percentage of sucrose solids bears to the percentage of Brix solids in the normal juice of each producers' sugarcane.

(17) "State office" means the Louisiana State Agricultural Stabilization and Conservation Service Office, 3737 Government Street, Alexandria, La. 71303.

(18) "State committee" means the Louisiana State Agricultural Stabilization and Conservation Committee.

(b) *Basic price.* (1) The basic price for standard sugarcane shall be not less than $1.05 per ton for each 1-cent per pound of raw sugar determined on the basis of the weekly average price, the season's average price, or the delivered average price as elected by the processor in writing to the State office not later than October 16, 1967, and the pricing basis elected shall be used for pricing all 1967-crop sugarcane. The average price of raw sugar as determined above shall be increased 0.03 cent for all mills located in Freight Area (a); shall be unchanged for all mills in Freight Area (b); and may be decreased 0.03 cent in Freight Area (c).[1]

(2) The basic price for salvage sugarcane shall be determined in accordance with the method of settlement used by the processor for the 1966-crop, except that the processor and producer may agree upon a different method of settlement subject to written approval by the State office upon a determination by the State committee that the method of settlement and the resultant price are fair and reasonable.

(c) *Conversion of net sugarcane to standard sugarcane.* Net sugarcane (except salvage sugarcane) shall be converted to standard sugarcane as follows:

(1) By multiplying the quantity of net sugarcane delivered by each producer by the applicable quality factor in accordance with the following table:

Percent sucrose in normal juice	*Standard sugarcane quality factor*[1]
9.5	0.60
10.0	.70
10.5	.80
11.0	.90
11.5	.95
12.0	1.00
12.5	1.05
13.0	1.10
13.5	1.15
14.0	1.20
14.5	1.25

[1] The quality factor for sugarcane of intermediate percentages of sucrose in normal juice shall be interpolated and for sugarcane having more than 14.5 percent sucrose in the normal juice shall be computed in proportion to the immediately preceding interval.

and,

(2) By multiplying the quantity determined pursuant to subparagraph (1) of this paragraph by the applicable purity factor in the following table:

[1] Freight Area (a) includes all mills except those located in Areas (b) and (c) below;

Freight Area (b) includes all mills located north of Bayou Goula between the Atchafalaya and Mississippi Rivers and southeast of New Iberia and west of the Atchafalaya River.

Freight Area (c) includes all mills located north and west of New Iberia west of the Atchafalaya River.

STANDARD SUGARCANE PURITY FACTOR [1]

Percent purity of normal juice		Percent sucrose in normal juice															
		At least 9.50	9.70	9.90	10.10	10.30	10.50	11.00	11.50	12.00	12.50	13.00	13.50	14.00	14.50	15.00	15.50
At least	But not more than	But not more than 9.69	9.89	10.09	10.29	10.49	10.99	11.49	11.99	12.49	12.99	13.49	13.99	14.49	14.99	15.49	15.99
68.00	68.24	1.000	0.989	0.978	0.967	0.956	0.945	0.939	0.929	0.922	0.915	0.908	0.901	0.894	0.887	0.880	0.873
68.25	68.49	1.005	.993	.982	.971	.960	.949	.941	.934	.927	.920	.913	.906	.899	.892	.885	.878
68.50	68.74	1.010	.998	.987	.976	.965	.954	.945	.938	.931	.924	.917	.910	.904	.897	.890	.884
68.75	68.99	1.016	1.003	.992	.981	.970	.959	.950	.943	.936	.929	.922	.915	.909	.902	.896	.890
69.00	69.49	1.021	1.009	.997	.986	.975	.964	.955	.948	.941	.934	.927	.920	.914	.908	.902	.896
69.50	69.99	1.025	1.013	1.001	.990	.979	.968	.960	.953	.945	.938	.931	.924	.918	.912	.906	.900
70.00	70.49	1.030	1.018	1.006	.995	.984	.973	.965	.958	.950	.943	.936	.929	.923	.917	.911	.905
70.50	70.99	1.035	1.023	1.011	.999	.988	.977	.969	.962	.954	.947	.940	.933	.927	.921	.915	.909
71.00	71.49	1.040	1.028	1.016	1.004	.993	.982	.974	.966	.959	.951	.945	.938	.932	.926	.920	.914
71.50	71.99	1.045	1.033	1.021	1.009	.998	.987	.978	.970	.963	.955	.949	.942	.936	.930	.924	.918
72.00	72.49	1.050	1.038	1.026	1.014	1.003	.992	.983	.975	.967	.960	.954	.947	.940	.934	.928	.922
72.50	72.99	1.055	1.043	1.031	1.019	1.007	.996	.987	.979	.971	.964	.958	.951	.944	.938	.932	.926
73.00	73.49	1.060	1.048	1.036	1.024	1.012	1.000	.991	.984	.976	.968	.962	.955	.948	.942	.936	.930
73.50	73.99	1.065	1.052	1.040	1.028	1.016	1.004	.995	.988	.980	.972	.966	.959	.952	.945	.940	.934
74.00	74.49	----------	1.057	1.044	1.032	1.020	1.008	1.000	.992	.984	.977	.970	.963	.956	.950	.944	.938
74.50	74.99	----------	1.062	1.049	1.036	1.024	1.012	1.004	.996	.988	.981	.974	.967	.960	.954	.948	.942
75.00	75.49	----------	----------	1.054	1.041	1.028	1.016	1.008	1.000	.992	.985	.978	.971	.964	.958	.952	.946
75.50	75.99	----------	----------	1.059	1.046	1.033	1.020	1.011	1.004	.996	.988	.981	.974	.967	.961	.955	.949
76.00	76.49	----------	----------	----------	1.051	1.038	1.025	1.015	1.008	1.000	.992	.985	.978	.971	.965	.959	.953
76.50	76.99	----------	----------	----------	1.054	1.041	1.028	1.019	1.011	1.004	.996	.989	.981	.975	.969	.963	.957
77.00	77.49	----------	----------	----------	----------	1.045	1.032	1.023	1.015	1.008	1.000	.993	.985	.979	.973	.967	.961
77.50	77.99	----------	----------	----------	----------	1.049	1.035	1.027	1.019	1.011	1.003	.996	.989	.982	.976	.970	.964
78.00	78.49	----------	----------	----------	----------	----------	1.039	1.031	1.023	1.015	1.007	1.000	.993	.986	.980	.974	.968
78.50	78.99	----------	----------	----------	----------	----------	1.042	1.035	1.026	1.018	1.010	1.003	.996	.989	.983	.977	.971
79.00	79.49	----------	----------	----------	----------	----------	----------	1.039	1.030	1.022	1.014	1.007	1.000	.993	.987	.981	.975
79.50	79.99	----------	----------	----------	----------	----------	----------	1.043	1.033	1.025	1.017	1.010	1.003	.996	.990	.984	.978
80.00	80.49	----------	----------	----------	----------	----------	----------	----------	1.037	1.029	1.021	1.014	1.007	1.000	.994	.988	.982
80.50	80.99	----------	----------	----------	----------	----------	----------	----------	1.040	1.032	1.024	1.017	1.010	1.003	.997	.991	.985
81.00	81.49	----------	----------	----------	----------	----------	----------	----------	----------	1.033	1.025	1.021	1.014	1.006	1.000	.994	.988
81.50	81.99	----------	----------	----------	----------	----------	----------	----------	----------	1.039	1.032	1.024	1.017	1.009	1.003	.997	.991
82.00	82.49	----------	----------	----------	----------	----------	----------	----------	----------	----------	1.035	1.027	1.020	1.013	1.007	1.000	.995
82.50	82.99	----------	----------	----------	----------	----------	----------	----------	----------	----------	1.038	1.030	1.023	1.016	1.010	1.004	.998
83.00	83.49	----------	----------	----------	----------	----------	----------	----------	----------	----------	----------	1.033	1.027	1.019	1.013	1.007	1.000
83.50	83.99	----------	----------	----------	----------	----------	----------	----------	----------	----------	----------	1.036	1.030	1.022	1.016	1.010	1.004
84.00	84.49	----------	----------	----------	----------	----------	----------	----------	----------	----------	----------	----------	1.033	1.025	1.019	1.013	1.007
84.50	84.99	----------	----------	----------	----------	----------	----------	----------	----------	----------	----------	----------	----------	1.023	1.022	1.016	1.010

[1] Factors applicable to higher or lower sucrose and purity of normal juice than shown in this table shall be determined by the same method of calculation used to compute the factors specified and shall be furnished by the State Office upon request.

(d) *Payment for frozen sugarcane.* (1) The payment for sugarcane determined pursuant to paragraph (c) of this section may be reduced upon certification by the State office that sugarcane has been damaged by freeze and that the processing of such sugarcane has adversely affected boiling house operations. Deductions from the payment for such frozen sugarcane shall be at rates not in excess of 1.5 percent of the payment for each 0.1 cc. of acidity above 2.50 cc. of N/10 alkali per 10 cc. of juice but not in excess of 4.75 cc. (intervening fractions are to be computed to the nearest multiple of 0.05 cc.). No payment is required for the amount of sugar recoverable from sugarcane testing in excess of 4.75 cc. of acidity.

(2) In the event a general freeze causes abnormally low recoveries of raw sugar by a processor in relation to the sucrose and purity tests of sugarcane, payment for such sugarcane may be made as mutually agreed upon between the producer and the processor subject to written approval by the State office: *Provided,* That the payment for each ton of net sugarcane shall be not less than an amount equal to the total returns from raw sugar and molasses actually recovered from such sugarcane, determined on the basis of the season's average prices of raw sugar and blackstrap molasses less an amount not to exceed $3 per gross ton of sugarcane for processing and less the actual costs of hoisting, weighing, and transporting of such sugarcane.

(e) *Molasses payment.* The processor shall pay an amount equal to the product of 7.1 gallons times one-half of the average price per gallon of blackstrap molasses in excess of 6 cents for each ton of net sugarcane processed except for (1) salvage sugarcane where settlement is based on the so-called "Java Formula;" (2) frozen sugarcane testing in excess of 4.75 cc. of acidity; and (3) sugarcane damaged by a general freeze which is tolled by the processor and settlement is based on the net proceeds from sugar and molasses recovered from such cane. The average price of blackstrap molasses shall be the weekly average price or the season's average price as elected by the processor in writing to the State office not later than October 16, 1967, and the pricing basis elected shall be used in making molasses payments for 1967-crop sugarcane.

(f) *Hoisting, weighing, and transportation.* The price for sugarcane established by this section shall be applicable to sugarcane delivered by the producer (1) to a hoist for loading into the conveyance for transportation to the mill, or (2) from the farm directly to the mill. With respect to sugarcane delivered to a hoist, the costs of hoisting, weighing, and transporting sugarcane from the hoist to the mill shall be paid by the processor or the processor shall make allowances to the producer for performing such services, based on net sugarcane, at per ton rates not less than those made with respect to sugarcane of the 1966 crop: *Provided,* That the processor shall not be required to make hauling allowances to producers in excess of the rates charged by a contract or commercial carrier or the rates which such carrier would have charged for performing such service. With respect to sugarcane delivered directly from the farm to the mill the processor shall pay the cost of transportation or shall make an allowance to the producer for performing such services, based on net sugarcane, at per ton rates not less than those made with respect to the 1966 crop. The processor shall not be required to make an allowance to the producer for hauling sugarcane directly from the farm to the mill at rates in excess of 30 cents per ton for distances of one mile or less, 40 cents per ton for distances of 1.1 to 2 miles, plus 5 cents per ton for each mile or fraction thereof in excess of 2 miles. Nothing in this paragraph shall be construed as prohibiting negotiations between the processor and the producer, any change to be approved in writing by the State office upon a determination by the State committee that the change results in allowances which are fair and reasonable.

(g) *Mutual plan for improving harvesting and delivery.* If a processor and the producers delivering sugarcane to such processor mutually agree upon a plan for improving harvesting and delivery operations, the processor may deduct from the price per ton of sugarcane an amount equal to one-half of the per ton cost of such plan. Such deduction may not be made until the plan has the written approval of the State office and it has been determined by the State committee that the plan is fair and reasonable.

(h) *Toll agreements.* The rate for processing sugarcane produced by a processor and processed under a toll agreement by another processor shall be at the rate they agree upon.

(i) *Applicability.* The requirements of this section are applicable to all sugarcane purchased from other producers and processed by a processor who produces sugarcane (a processor-producer is defined in § 821.1 of this chapter); and to sugarcane purchased by a cooperative processor from nonmembers. The requirements are not applicable to sugarcane processed by a cooperative processor for its members.

(j) *Subterfuge.* The processor shall not reduce the returns to the producer below those determined in accordance with the requirements of this section through any subterfuge or device whatsoever.

(k) *Processor mill procedures and checking compliance.* The procedures to be followed by processors in determining net sugarcane, trash, average percent sucrose in normal juice, average percent crusher juice sucrose, factory normal juice sucrose, factory crusher juice sucrose, percent purity of normal juice; and other related mill procedures and required reports are set forth in ASCS Handbook 8-SU entitled "Sampling, Testing, and Reporting for Louisiana Sugar Processors", copies of which have been furnished each processor. The procedures to be followed by the ASCS State office in checking compliance with the requirements of this section are set forth under the heading "Fair Price Compliance" in Handbook 4-SU, issued by the Deputy Administrator, State and County Operations, Agricultural Stabilization and Conservation Service. Handbooks 8-SU and 4-SU may be inspected at county ASCS offices and copies may be obtained from the Louisiana ASCS State Office, 3737 Government Street, Alexandria, La. 71303.

STATEMENT OF BASIS AND CONSIDER

(a) *General.* The foregoing determination established the fair and reasonable price requirements which must be met as one of the conditions for payment under the act, by a producer who processes sugarcane of the 1967 crop grown by other producers.

(b) *Requirements of the act.* Section 301(c)(2) of the act provides as a condition for payment, that the producer on the farm who is also, directly or indirectly, a processor of sugarcane, as may be determined by the Secretary, shall have paid or contracted to pay under either purchase or toll agreements, for sugarcane grown by other producers and processed by him at rates not less than those that may be determined by the Secretary to be fair and reasonable after investigation and due notice and opportunity for public hearing.

(c) *1967-crop price determination.* This determination continues the provisions of the 1966 crop determination, except that the period for determining the seasons' average prices of raw sugar and blackstrap molasses is from October 6, 1967, through April 25, 1968; the periods for determining the delivered average price of raw sugar are from October 6, 1967, through December 31, 1967 for 1967-crop raw sugar marketed under the 1967 quota, and from January 1, through February 29, 1968 for 1967-crop raw sugar not marketed under the 1967 quota. Further, this determination includes certain definitions pertinent to computing settlements for sugarcane, and interpretations and explanations of the price requirements.

A public hearing was held in Houma, La., on June 23, 1967, at which interested persons were afforded the opportunity to testify with respect to fair and reasonable prices for 1967-crop Louisiana sugarcane. A representative of the Grower-Processor Committee recommended that the same three bases of settlement for sugarcane provided in the prior determination, i.e., weekly average prices, season's average prices and delivered average prices, be continued for the 1967 crop; that the period for determining the seasons' average prices of raw sugar and blackstrap molasses extend from October 6, 1967, through April 25, 1968; and that the periods for determining the delivered average price of raw sugar extend from October 6, 1967, through December 31, 1967, for 1967-crop raw sugar marketed under the processors' 1967 marketing allotment, and from January 1, through February 29, 1968 for 1967-crop raw sugar not marketed in 1967 under the processors 1967 marketing allotment. The witness stated that there was ample indication that refiners would continue the practice of purchasing raw sugar

from processors at prices 10 cents below the prices quoted by the Louisiana Sugar Exchange; and that in addition refiners may impose new quality standards providing for premiums and discounts based on several quality criteria not heretofore used in pricing Louisiana raw sugar.

The representative of the Louisiana Farm Bureau recommended the same periods for determining the seasons' average price of raw sugar and blackstrap molasses, and the delivered average price of raw sugar as recommended by the Grower-Processor Committee. The witness stated that the Department should consider the prevalance of the 10-cent discount in maintaining the Sugar Act guideline price for raw sugar.

Consideration has been given to the testimony presented at the public hearing and to other pertinent information. The comparative returns, costs, and profits of producing and processing sugarcane in Louisiana, obtained through field survey have been recast in terms of prospective price and production conditions for the 1967 crop. Analysis of these data indicates that the provisions of this determination will provide an equitable sharing of total returns between producers and processors based on their sharing of total costs. Although there have been some variations in the cost-return relationship between producers and processors in recent years, such variations have been nominal and the past 5-year average relationship indicates relative stability.

The periods for determining the seasons' average prices of raw sugar and blackstrap molasses, and for determining the delivered average price of raw sugar are those recommended by the Grower-Processor Committee and the Louisiana Farm Bureau. It is believed that the alternative pricing bases for sugarcane settlements with producers are equitable and will enable processors to relate such settlements to their marketing opportunities.

Processors are required to inform the State office in writing not later than October 16, 1967, the pricing basis elected, i.e., weekly, season, or delivered average price for raw sugar, and the weekly or season's average price for molasses. Processors are also required to use the periods elected for the entire crop.

On the basis of an examination of all pertinent factors, the provisions of this determination are deemed to be fair and reasonable.

Accordingly, I hereby find and conclude that the foregoing determination will effectuate the price provisions of the Sugar Act of 1948, as amended.

(Sec. 403, 61 Stat. 932; 7 U.S.C. Supp. 1153. Interprets or applies sec. 301, 61 Stat. 929; 7 U.S.C. Supp. 1131, as amended)

Effective date. This determination shall become effective upon publication in the FEDERAL REGISTER and is applicable to the 1967 crop of Louisiana sugarcane.

Signed at Washington, D.C., on October 9, 1967.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 67-12197; Filed, Oct. 16, 1967; 8:45 a.m.]

Chapter IX—Consumer and Marketing Service (Marketing Agreements and Orders; Fruits, Vegetables, Nuts), Department of Agriculture

[Orange Reg. 17]

PART 906—ORANGES AND GRAPEFRUIT GROWN IN LOWER RIO GRANDE VALLEY IN TEXAS

Limitation of Shipments

Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 906, as amended (7 CFR Part 906), regulating the handling of oranges and grapefruit grown in the Lower Rio Grande Valley in Texas, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendation of the Texas Valley Citrus Committee, established under the aforesaid marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this regulation until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this regulation is based became available and the time when this regulation must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after an open meeting of the Texas Valley Citrus Committee on October 10, 1967; such meeting was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; necessary supplemental economic and statistical information upon which the recommended regulation is based were received by the Department on October 11, 1967; the provisions of this regulation, including the effective time hereof, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such oranges; it is necessary, in order to effectuate the declared policy of the act, to make this regulation effective during the period hereinafter set forth so as to provide for the continued regulation of the handling of oranges; and compliance with this regulation will not require any special preparation on the part of the persons subject thereto which cannot be completed by the effective time hereof.

§ 906.337 Orange Regulation 17.

(a) *Order.* (1) During the period October 16, 1967, through January 31, 1968, no handler shall handle:

(i) Any oranges of any variety, grown in the production area, unless such oranges grade at least U.S. No. 3;

(ii) Any oranges of any variety, grown as aforesaid, which are of a size smaller than $2\frac{7}{16}$ inches in diameter, except that not more than 10 percent, by count, of such oranges in any lot of containers, and not more than 15 percent, by count, of such oranges in any individual container in such lot may be of a size smaller than $2\frac{7}{16}$ inches in diameter; or

(iii) Any oranges of any variety, grown as aforesaid, for which inspection is required unless an appropriate inspection certificate has been issued with respect thereto not more than 48 hours prior to the time of shipment.

All oranges of any variety, grown as aforesaid, handled during the period specified in this section are subject to all applicable container and pack requirements which are in effect pursuant to the aforesaid marketing agreement and order during such period.

(2) Terms used in the marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said marketing agreement and order; and terms relating to grade and diameter, when used herein, have the same meaning as is given to the respective term in the U.S. Standards for Oranges (Texas and States other than Florida, California, and Arizona) (§§ 51.680-51.712 of this title).

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: October 12, 1967.

PAUL A. NICHOLSON,
Deputy Director, Consumer and Marketing Service, Fruit and Vegetable Division.

[F.R. Doc. 67-12295; Filed Oct. 13, 1967; 12:45 p.m.]

[Grapefruit Reg.]

PART 906—ORANGES AND GRAPEFRUIT GROWN IN LOWER RIO GRANDE VALLEY IN TEXAS

Limitation of Shipments

Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 906, as amended (7 CFR Part 906), regulating the handling of oranges and

grapefruit grown in the Lower Rio Grande Valley in Texas, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendation of the Texas Valley Citrus Committee, established under the aforesaid marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of grapefruit, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this regulation until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this regulation is based became available and the time when this regulation must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after an open meeting of the Texas Valley Citrus Committee on October 10, 1967; such meeting was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; necessary supplemental economic and statistical information upon which the recommended regulation is based were received by the Department on October 11, 1967; the provisions of this regulation, including the effective time hereof, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such grapefruit; it is necessary, in order to effectuate the declared policy of the act, to make this regulation effective during the period hereinafter set forth so as to provide for the continued regulation of the handling of grapefruit; and compliance with this regulation will not require any special preparation on the part of the persons subject thereto which cannot be completed by the effective time hereof.

§ 906.336 Grapefruit Regulation 13.

(a) *Order.* (1) During the period October 16, 1967, through January 31, 1968, no handler shall handle:

(i) Any container of grapefruit of any variety, grown in the production area, unless such grapefruit grade U.S. Fancy; U.S. No. 1 Bright; U.S. No. 1; U.S. No. 1 Bronze; U.S. Combination; U.S. No. 2; or U.S. No. 3;

(ii) Any grapefruit of any variety, grown in the production area, which are of a size smaller than 3$\frac{3}{16}$ inches in diameter, except that not more than 10 percent, by count, of such grapefruit in any lot of containers, and not more than 15 percent, by count, of such grapefruit in any individual container in such lot, may be of a size smaller than 3$\frac{3}{16}$ inches in diameter; or

(iii) Any grapefruit of any variety, grown as aforesaid, for which inspection is required unless an appropriate inspection certificate has been issued with respect thereto not more than 48 hours prior to the time of shipment.

All grapefruit of any variety, grown as aforesaid, handled during the period specified in this section are subject to all applicable container and pack requirements which are in effect pursuant to the aforesaid marketing agreement and order during such period.

(2) Terms used in the marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said marketing agreement and order; and terms relating to grade and diameter, when used herein, shall have the same meaning as is given to the respective term in the U.S. Standards for Grapefruit (Texas and States other than Florida, California, and Arizona) (§§ 51.620–51.685 of this title).

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: October 12, 1967.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 67–12296; Filed, Oct. 13, 1967; 12:45 p.m.]

[Lemon Reg. 288, Amdt. 1]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 910, as amended (7 CFR Part 910), regulating the handling of lemons grown in California and Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such lemons, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this amendment until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient, and this amendment relieves restriction on the handling of lemons grown in California and Arizona.

Order, as amended. The provisions in paragraph (b) (1) (ii) of § 910.588 (Lemon Reg. 288, 32 F.R. 13961) are hereby amended to read as follows:

§ 910.588 Lemon Regulation 288.

* * * * *

(b) *order* (1) * * *

(ii) District 2: 125,550 cartons.

* * * * *

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: October 12, 1967.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 67–12239; Filed, Oct. 16, 1967; 8:48 a.m.]

[Avocado Reg. 9, Amdt. 7]

PART 915—AVOCADOS GROWN IN SOUTH FLORIDA

Limitation of Shipments

Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 915, as amended (7 CFR Part 915), regulating the handling of avocados grown in south Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations of the Avocado Administrative Committee, established under the aforesaid marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of avocados, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this amendment until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 553) in that the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than the date hereinafter set forth. A more precise determination as to the quality and the time of maturity of avocados must await the development of the crop; a determination as to the maturity of the Hall variety of avocados covered by this amendment was made at the meeting of the

Avocado Administrative Committee on October 11, 1967. After consideration of all available information relative to the growing conditions prevailing during the current season, recommendations and supporting information for such maturity regulations were submitted to the Department; such meeting was held to consider recommendation for such regulation after giving due notice thereof, and interested parties were afforded opportunity to submit their views at this meeting; the provisions hereof are identical with the aforesaid recommendations of the committee and information concerning such provisions has been disseminated among the handlers of avocados; and compliance with the provisions hereof will not require of handlers any preparation therefor which cannot be completed by the effective time hereof.

Order. The provisions of paragraph (a)(2) of § 915.309 (32 F.R. 7213, 8761, 10156, 10641, 11731, 12831, 13181) are hereby amended by revising in Table I certain dates and minimum weights or diameters applicable to the Hall variety of avocados, so that after such revision the portion of such Table I relating to such variety reads as follows:

Variety	Date	Minimum weight or diameter	Date	Minimum weight or diameter	Date	Minimum weight or diameter	Date
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Hall	10-16-67	26 oz. 3 1/16 in.	10-30-67	20 oz. 3 1/16 in.	11-13-67		

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated, October 13, 1967, to become effective October 16, 1967.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 67-12298; Filed, Oct. 13, 1967; 12:45 p.m.]

[Orange Reg. 8, Amdt. 1]

PART 944—FRUITS; IMPORT REGULATIONS

Oranges

Pursuant to the provisions of section 8e of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), the provisions of paragraph (a) of § 944.307 (Orange Reg. 8; 32 F.R. 12993) are hereby amended to read as follows:

§ 944.307 Orange Regulation 8.

(a) On and after October 16, 1967, the importation into the United States of any oranges is prohibited unless such oranges are inspected and grade at least U.S. No. 3 and are of a size not smaller than 2 5/16 inches in diameter, except that not more than 10 percent, by count, of such oranges in any lot of containers, and not more than 15 percent, by count, of such oranges in any individual container in such lot, may be of a size smaller than 2 5/16 inches in diameter.

* * * * *

It is hereby found that it is impracticable, unnecesary, and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective time of this regulation beyond that hereinafter specified (5 U.S.C. 553) in that (a) the requirements of this import regulation are imposed pursuant to section 8e of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), which makes such regulation mandatory; (b) the grade and size requirements of this import regulation are the same as those to be in effect beginning October 16, 1967, on domestic shipments of oranges under Orange Regulation 17 (§ 906.337); (c) compliance with this import regulation will not require any special preparation which cannot be completed by the effective time hereof; and (d) this amendment relieves restrictions on imports of oranges.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated, October 12, 1967, to become effective October 16, 1967.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 67-12300; Filed, Oct. 13, 1967; 12:45 p.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

SUBCHAPTER C—AIRCRAFT

[Airworthiness Docket No. 67-SW-65; Amdt. 39-492]

PART 39—AIRWORTHINESS DIRECTIVES

Aero Commander Models 560E, 680, 680E, and 720 Airplanes

Amendment 39-492 to Part 39 of the Federal Aviation Regulations was published in the FEDERAL REGISTER (32 F.R. 14061) on October 10, 1967, to become effective upon publication in the FEDERAL REGISTER for all persons except those to whom it was made effective immediately by "telegram" dated October 5, 1967. The word "telegram" was a typographical error and should read "airmail letter" as set forth in the preamble to the amendment.

Amendment 39-492 is hereby corrected by striking the word "telegram" in the effective date provision of that amendment and inserting in lieu thereof the words "airmail letter".

Issued in Washington, D.C., on October 11, 1967.

EDWARD C. HODSON,
Acting Director, Flight Standards Service.

[F.R. Doc. 67-12226; Filed, Oct. 16, 1967; 8:47 a.m.]

SUBCHAPTER E—AIRSPACE

[Airspace Docket No. 67-SW-20]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration and Extension of Federal Airways

On July 20, 1967, a notice of proposed rule making was published in the FEDERAL REGISTER (32 F.R. 10663) stating that the Federal Aviation Administration was considering the alteration and extension of certain VOR Federal airways associated with the relocation of the Beaumont, Tex., VOR.

Interested persons were afforded an opportunity to participate in the proposed rule making through the submission of comments. All comments received were favorable.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t. December 7, 1967, as hereinafter set forth.

1. Section 71.123 (32 F.R. 2009, 8079) is amended as follows:

a. In V-20 all between "INT Palacios 064° and Houston 201° radials;" and "12 AGL Lafayette, La.," is deleted and "12 AGL Beaumont, Tex., including a 12 AGL north alternate via INT Houston 045° and Beaumont 272° radials; 12 AGL Lake Charles, La., including a 12 AGL north alternate via INT Beaumont 056° and Lake Charles 272° radials, and also a 12 AGL south alternate from Houston to Lake Charles via INT Houston 090° and Sabine Pass, Tex., 265° radials and Sabine Pass;" is substituted therefor.

b. In V-289 "INT Beaumont 334° and Lufkin, Tex., 160° radials;" is deleted and "INT Beaumont 323° and Lufkin, Tex., 161° radials;" is substituted therefor.

c. In V–306 "; 12 AGL Lake Charles, La., including an 12 AGL south alternate from Daisetta to Lake Charles via Beaumont." is added to the end of text.

d. In V–222 all between "12 AGL Industry;" and "12 AGL McComb, Miss.;" is deleted and "12 AGL INT Industry 087° and Beaumont, Tex., 272° radials; 12 AGL Beaumont; 12 AGL Lake Charles, La., including a 12 AGL north alternate from INT of Industry 087° and Beaumont 272° radials to Lake Charles via Daisetta, Tex.;" is substituted therefor.

(Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Washington, D.C., on October 10, 1967.

H. B. HELSTROM,
Chief, Airspace and Air-Traffic Rules Division.

[F.R. Doc. 67–12227; Filed, Oct. 16, 1967; 8:47 a.m.]

[Airspace Docket No. 67–SO–94]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Revocation of Federal Airway Segment

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to revoke VOR Federal airway No. 53 west alternate segment between Columbia, S.C., and Asheville, N.C. This west alternate to V–53 is a common airway segment with segments of VOR Federal airway Nos. 311 and 185. The latest Federal Aviation Administration peakday IFR en route traffic survey shows no aircraft movements utilized this west alternate segment. In addition, it is no longer required for air traffic control purposes. Accordingly, action is being taken herein to revoke this west alternate segment of V–53.

Since this amendment is editorial in nature and does not involve the designation of airspace, notice and public procedures are unnecessary. However, since it is necessary that sufficient time be allowed to permit appropriate changes to be made on aeronautical charts, this amendment will become effective more than 30 days after publication.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., December 7, 1967, as hereinafter set forth.

In § 71.123 (32 F.R. 2009) V–53 is amended by deleting ", including a 12 AGL west alternate from Columbia to Asheville via Greenwood, S.C., excluding the airspace between the main and this west alternate".

(Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Washington, D.C., on October 10, 1967.

H. B. HELSTROM,
Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 67–12228; Filed, Oct. 16, 1967; 8:47 a.m.]

[Docket No. 8464; Amdt. 91–45]

PART 91—GENERAL OPERATING AND FLIGHT RULES

Flight Limitations in the Proximity of Space Flight Recovery Operations

The purpose of this regulation is to prohibit the operation of nonparticipating aircraft of U.S. registry, and aircraft piloted by any person operating under an FAA pilot certificate, in space flight recovery areas specified in a Notice to Airmen (NOTAM).

The flight phase of the Apollo space program is scheduled to commence during the month of October 1967. Thereafter and for an indefinite period of time, both manned and unmanned flights associated with this and other space activities will take place. In connection with these flights the landing areas will be selected by the National Aeronautics and Space Administration or the Department of Defense.

On March 18, 1965, the Administrator of the FAA issued Special Federal Aviation Regulation No. 16 (31 F.R. 3706), that prohibited the flight of nonparticipating aircraft in the recovery areas of the Gemini series of operations. The National Aeronautics and Space Administration has stated that the future unmanned and manned space operations commencing with the Apollo series will involve the same procedures utilized in the Gemini series and that such operations require the same protection that has been provided for the Gemini project.

In these space recovery operations the possibility exists that nonparticipating aircraft may be used to obtain on-site films and video tapes of manned and unmanned spacecraft landing and recovery activities. Since the recovery activities involve ships, helicopters, airplanes, and pararescue personnel all operating in comparatively small areas and requiring immediate action, the risks associated with these operations would be increased unnecessarily, and delay or confusion created in the assigned operational phase if nonparticipating aircraft were permitted to be present in the critical area. Additionally, the presence of such aircraft would contribute an unnecessary source of electromagnetic interference.

IFR traffic is to be segregated from the recovery areas. Air traffic control will maintain close communication with the Mission Director so the IFR traffic may be rerouted with little or no delay.

Since the precise time and duration of these space flights are contingent upon many variable factors, the times when the limitations on nonparticipating aircraft would be effective cannot now be ascertained. However, these would be stated well in advance by the publication of a Notice to Airmen (NOTAM) for domestic and international distribution. The NOTAMs would be available at appropriate air traffic facilities and would be readily identifiable. They would define the recovery areas and specify the period of time during which the prohibition of unauthorized flight in the pertinent areas is effective.

Even though the restrictions may be effective during the entire space flight to insure that the planned recovery area is always available should an emergency recovery operation become necessary, provision is being made so that pilots may request ATC to obtain permission from an appropriate authority to cross a recovery area at a specific time and place.

Except for minor and clarifying matters, this rule is the same as Special Federal Aviation Regulation No. 16. However, since the series of space flights, commencing with the Apollo Program will continue for an indefinite period of time, the rule as adopted herein has been incorporated into the permanent rules of Part 91 of the Federal Aviation Regulations.

Since this regulation involves no substantive change from the procedures prescribed in Special Federal Aviation Regulation No. 16, and in the interest of safety and the national interest must be made effective for operations during the month of October, I find that notice and public procedure hereon are impracticable and that this amendment may become effective upon publication in the FEDERAL REGISTER.

In consideration of the foregoing Chapter 1 of Title 14 of the Code of Federal Regulations is amended as follows:

1. By revoking Special Federal Aviation Regulation No. 16.

2. By amending Part 91 to add a new § 91.102 to read as follows:

§ 91.102 Flight limitation in the proximity of space flight recovery operations.

No person may operate any aircraft of U.S. registry, or pilot any aircraft under the authority of an airman certificate issued by the Federal Aviation Administration within areas designated in a Notice to Airmen (NOTAM) for space flight recovery operations except when authorized by ATC, or operated under the control of the Department of Defense Manager for Manned Space Flight Support Operations.

(Secs. 307, 601(6), Federal Aviation Act of 1958 as amended; 49 U.S.C. 1348, 1421)

Issued in Washington, D.C., on October 11, 1967.

D. D. THOMAS,
Acting Administrator.

[F.R. Doc. 67–12229; Filed, Oct. 16, 1967; 8:47 a.m.]

SUBCHAPTER F—AIR TRAFFIC AND GENERAL OPERATING RULES

[Reg. Docket No. 8434; Amdt. 559]

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

Miscellaneous Amendments

The amendments to the standard instrument approach procedures contained herein are adopted to become effective when indicated in order to promote safety. The amended procedures supersede the existing procedures of the same classification now in effect for the airports specified therein. For the convenience of the users, the complete procedure is republished in this amendment indicating the changes to the existing procedures.

As a situation exists which demands immediate action in the interests of safety in air commerce, I find that compliance with the notice and procedure provisions of the Administrative Procedure Act is impracticable and that good cause exists for making this amendment effective within less than 30 days from publication.

In view of the foregoing and pursuant to the authority delegated to me by the Administrator (24 F.R. 5662), Part 97 (14 CFR Part 97) is amended as follows:

1. By amending the following automatic direction finding procedures prescribed in § 97.11(b) to read:

ADF STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
OGD VOR	Mallard Int	Direct	6500	T-dn%	300-1	300-1	200-½
Mallard Int	BMC NDB (final)	Direct	4900	C-dn	500-1	500-1	500-1½
				S-dn-34	500-1	500-1	500-1
				A-dn	NA	NA	NA

Radar available.
Procedure turn not authorized.
Minimum altitude over facility on final approach crs, 4900'.
Crs and distance, facility to airport, 005°—1.7 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 1.7 miles after passing BMC NDB, turn left, climb direct to BMC NDB, continue climb southwestbound on crs, 195° from BMC NDB to 7300' within 15 miles or, when directed by ATC, turn left, climb direct to BMC NDB, continue climb southwestbound on crs, 195° from BNC NDB to intercept OGD VOR, R 328°, thence climb to 6500', direct OGD VOR.
CAUTION: Use Hill approach control altimeter. High terrain N through SE of airport.
%Takeoffs all runways: Climb direct to BMC NDB, continue climb southwestbound on crs, 195° from BMC NDB to intercept V-21, thence direct OGD VOR.
MSA within 25 miles of facility: 040°-310°—10,800'; 310°-040°—8500'.

City, Brigham City; State, Utah; Airport name, Brigham City; Elev., 4223'; Fac. Class., MHW; Ident., BMC; Procedure No. NDB(ADF) Runway 34, Amdt. Orig.; Eff. date, 4 Nov. 67

Anthony VHF/LF Int	CLL RBn (final)	Direct	1000	T-dn	300-1	300-1	200-½
				C-dn	500-1	500-1	500-1½
				S-dn-10	400-1	400-1	400-1
				A-dn	800-2	800-2	800-2

Procedure turn S side of crs, 279° Outbnd, 099° Inbnd, 1500' within 10 miles.
Minimum altitude over facility on final approach crs, 1000'.
Crs and distance, facility to airport, 099°—2.5 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 2.5 miles after passing CLL RBn, climb to 1500' on crs, 099° within 15 miles of RBn.
MSA within 25 miles of facility: 000°-090°—1900'; 090°-180°—1600'; 180°-270°—1600'; 270°-360°—1700'.

City, College Station; State, Tex.; Airport name, Easterwood Field; Elev., 319'; Fac. Class., H; Ident., CLL; Procedure No. NDB(ADF) Runway 10, Amdt. Orig.; Eff. date, 4 Nov. 67

DAB VORTAC	LOM	Direct	1500	T-dn	300-1	300-1	200-½
Barberville Int	LOM	Direct	1500	C-dn	500-1	500-1	500-1½
Lake Helen Int	LOM	Direct	1500	S-dn-6	500-1	500-1	500-1
Smyrna Int	LOM	Direct	1500	A-dn	800-2	800-2	800-2
Woodruff Int	LOM (final)	Direct	1400				

Procedure turn N side of crs, 245° Outbnd, 065° Inbnd, 1400' within 10 miles.
Minimum altitude over facility on final approach crs, 1400'.
Crs and distance, facility to airport, 065°—4.7 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.7 miles after passing LOM, climb to 1500' on crs of 065°, make left turn, proceed to Daytona Beach VORTAC via R 140° or, when directed by ATC, make right turn, climbing to 1500' proceed to Smyrna Int via DAB, R 161°.
MSA within 25 miles of facility: 000°-090°—1400'; 090°-180°—1500'; 180°-270°—2100'; 270°-360°—1400'.

City, Daytona Beach; State, Fla.; Airport name, Daytona Beach Municipal; Elev., 34'; Fac. Class., LOM; Ident., DA; Procedure No. NDB(ADF) Runway 6, Amdt. 8; Eff. date, 4 Nov. 67; Sup. Amdt. No. ADF 1, Amdt. 7; Dated, 29 May 65

ADF STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
McChord AFB RBn	GRF RBn	Direct	2500	T-dn%	300-1	300-1	300-1
OLM VOR	GRF RBn	Direct	2500	C-dn	600-1	600-1	600-1½
Burton VHF Int	GRF RBn	Direct	3000	S-dn-14	600-1	600-1	600-1
Carr VHF Int	GRF RBn (final)	Direct	1500	A-dn	800-2	800-2	800-2

Radar available.
Procedure turn W side of crs, 325° Outbnd, 145° Inbnd, 2000′ within 10 miles.
Minimum altitude over GRF RBn on final approach crs, 1500′.
Crs and distance, GRF RBn to airport, 145°—3.9 miles.
If visual contact not established upon descent to authorized landing mimimums or if landing not accomplished within 3.9 miles after passing GRF RBn, turn left, climb direct to GRF RBn; thence climb on the 325° bearing GRF RBn within 10 miles to 2000′ or, when directed by ATC, turn right, climb to 3000′ on crs, 270° to R 020°, OLM VOR, thence direct to OLM VOR.
NOTE: Authorized for military use only except by prior arrangement.
%Takeoff Runways 14/32: Climb direct to GRF RBn thence on crs.
MSA within 25 miles of facility: 315°–045°—2800′; 045°–135°—6000′; 135°–225°—4900′; 225°–315°—3700′.

City, Fort Lewis; State, Wash.; Airport name, Gray AAF; Elev., 301′; Fac. Class., MH; Ident., GRF; Procedure No. NDB(ADF) Runway 14, Amdt. 8; Eff. date, 4 Nov. 67; Sup. Amdt. No. ADF 1, Amdt. 7; Dated, 5 Sept. 64

Raleigh RBn	LOM	Direct	2000	T-dn	300-1	300-1	200-½
Raleigh VOR	LOM	Direct	2000	C-dn	500-1	500-1	500-1½
Chapel Hill Int	LOM	Direct	2100	S-dn-5	400-1	400-1	400-1
Holly Springs Int	LOM	Direct	2000	A-dn	800-2	800-2	800-2
Moncure Int	LOM (final)	Direct	2000				
Durham Int	LOM	Direct	2000				
Int LIB VOR, R 102° and RDU VOR R 244°	LOM (final)	Direct	2000				

Radar available.
Procedure turn W side of crs, 229° Outbnd, 049° Inbnd, 2000′ within 10 miles.
Minimum altitude over LOM on final approach crs, 2000′.
Crs and distance, facility to airport, 049°—5.8 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.8 miles after passing LOM, climb to 2000′ on R 041° of VOR within 15 miles or, when directed by ATC, turn left, climb to 2400′ on R 309° of VOR within 15 miles or, climb to 2000′ on 049° crs from LOM within 15 miles.
MSA within 25 miles of facility: 000°–090°—1800′; 090°–180°—2800′; 180°–270°—1800′; 270°–360°—2500′.

City, Raleigh; State, N.C.; Airport name, Raleigh-Durham; Elev., 435′; Fac. Class., LOM; Ident., RD; Procedure No. NDB(ADF) Runway 5, Amdt. 10; Eff. date, 4 Nov. 67; Sup. Amdt. No. ADF1, Amdt. 9; Dated, 23 Jan. 65

RDU LOM	RDU RBn	Direct	2000	T-dn	300-1	300-1	200-½
RDU VOR	RDU RBn	Direct	2000	C-dn	500-1	500-1	500-1½
Wendell Int	RDU RBn	Direct	2000	S-dn-23	500-1	500-1	500-1
Chapel Hill Int	RDU RBn	Direct	2100	A-dn	800-2	800-2	800-2
Durham Int	RDU RBn	Direct	2000				
Franklinton Int	RDU RBn	Direct	2000				
Zebulon Int	RDU RBn	Direct	2000				

Radar available.
Procedure turn N side of crs, 049° Outbnd, 229° Inbnd, 2000′ within 10 miles of RDU RBn.
Minimum altitude over facility on final approach crs, 1500′.
Crs and distance, facility to airport, 229°—4 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4 miles after passing RBn, climb to 2000′ on 229° crs from RDU RBn within 15 miles or, when directed by ATC, turn right, climb to 2000′ on R 309° of RDU VOR within 20 miles or climb to 2000′, returning direct to RDU RBn.
MSA within 25 miles of facility: 000°–090°—1800′; 090°–180°—2800′; 180°–270°—1800′; 270°–360°—2500′.

City, Raleigh; State, N.C.; Airport name, Raleigh-Durham; Elev., 435; Fac. Class., H-SAB; Ident., RDU; Procedure No. NDB(ADF) Runway 23, Amdt. 2; Eff. date, 4 Nov. 67; Sup. Amdt. No. ADF 2, Amdt. 1; Dated, 23 Jan. 65

SUX VOR	JKN NDB	Direct	2600	T-dn	300-1	300-1	*200-½
Jefferson Int	JKN NDB	Direct	2600	C-dn	600-1	600-1	600-1½
Hubbard Int	JKN NDB	Direct	2800	S-dn-13	600-1	600-1	600-1
				A-dn	800-2	800-2	800-2

Procedure turn W side of crs, 307° Outbnd, 127° Inbnd, 2600′ within 10 miles.
Minimum altitude over facility on final approach crs, 2300′.
Crs and distance, facility to airport, 127°—4.1 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.1 miles after passing JKN NDB, climb to 2800′ on 127° magnetic bearing from JKN NDB within 10 miles, return to NDB.
NOTE: For north- and northeast-bound departures when weather is below 2400-2, flight below 2900′ beyond 4 miles from airport and flight below 3900′ beyond 8 miles from airport is prohibited between R 332° and R 025° inclusive of the SUX VOR. Restrictions are due to 2420′ tower, 6½ miles NE and 3309′ tower, 12 miles NE of airport.
*300-1 required for all takeoffs on Runway 4, due to 1318′ terrain, 1.4 miles ENE of airport.
MSA within 25 miles of facility: 000°–090°—4400′; 090°–180°—2900′; 180°–360°—2700′.

City, Sioux City; State, Iowa; Airport name, Sioux City Municipal; Elev., 1097′; Fac. Class., MHW; Ident., JXN; Procedure No. NDB(ADF) Runway 13, Amdt. 7; Eff. date, 4 Nov. 67; Sup. Amdt. No. NDB(ADF) Runway 13, Amdt. 6; Dated, 13 May 67

2. By amending the following very high frequency omnirange (VOR) procedures prescribed in § 97.11(c) to read:

VOR STANDARD INSTRUMENT APPROACH PROCEDURES

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Daytona Beach LOM	DAB VORTAC	Direct	1500	T-dn	300-1	300-1	200-½
R 308°, DAB VORTAC clockwise	R 336°, DAB VORTAC	7-mile arc DAB, R 321° lead radial.	1500	C-d	700-1	700-1	700-1½
				C-n	700-2	700-2	700-2
				S-d-16‡	700-1	700-1	700-1
R 360°, DAB VORTAC counterclockwise	R 336°, DAB VORTAC	7-mile arc DAB, R 351° lead radial.	1500	S-n-16‡	700-2	700-2	700-2
				A-dn	800-2	800-2	800-2
				Chambers LF Int or 4-mile VOR/DME minimums:			
7-mile DME Fix, R 336°	DAB VORTAC (final)	Direct	1500	C-dn	600-1	600-1	600-1½
				S-dn-16‡	600-1	600-1	600-1

Procedure turn W side of crs, 336° Outbnd, 156° Inbnd, 1500' within 10 miles.
Minimum altitude over facility on final approach crs, 1500'.
Crs and distance, facility to airport, 156°—7.4 miles; Chambers Int to airport, 156°—3.4 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 7.4 miles after passing VORTAC, climb to 1500' on R 161° and proceed to Smyrna Int.
‡Reduction not authorized.
MSA within 25 miles of facility: 000°-090°—1300'; 090°-180°—1500'; 180°-270°—2100'; 270°-360°—1400'.

City, Daytona Beach; State, Fla.; Airport name, Daytona Beach Municipal; Elev., 34'; Fac. Class., H-BVORTAC; Ident., DAB; Procedure No. VOR Runway 16, Amdt. 7; Eff. date, 4 Nov. 67; Sup Amdt. No. VOR-1, Amdt. 6; Dated, 25 Dec. 65

R 338°, ESC VOR counterclockwise	R 266°, ESC VOR	Via 8-mile DME Arc.	2300	T-dn	300-1	300-1	200-½
				C-dn*	500-1	500-1	500-1½
R 216°, ESC VOR clockwise	R 266°, ESC VOR	Via 8-mile DME Arc.	2300	S-dn-9*$	400-1	400-1	400-1
				A-dn*	800-2	800-2	800-2
8-mile DME Fix, R 266° ESC VOR	2-mile DME Fix, R 266° (final)	Direct	1004				

Procedure turn S side of crs, 266° Outbnd, 086° Inbnd, 2100' within 10 miles.
Minimum altitude over 2-mile DME Fix on final approach crs, #1004' #(1204' when control zone not effective). Facility on airport.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of VOR, climb to 2100' on R 086° within 10 miles, return to VOR.
NOTES: (1) Use Marquette, Mich., altimeter setting when control zone not effective. (2) Circling and straight-in ceiling minimums are raised 200' and alternate minimums not authorized when control zone not effective.
CAUTION: Magnetic disturbance of as much as 14° exists at ground level at Escanaba.
*These minimums apply at all times for air carriers with approved weather reporting service.
$Reduction not authorized for nonstandard REIL.
MSA within 25 miles of facility: 000°-090°—2200'; 090°-180°—1900'; 180°-270°—2300'; 270°-360°—2200'.

City, Escanaba; State, Mich.; Airport name, Escanaba Municipal; Elev., 604'; Fac. Class., L-BVORTAC; Ident., ESC; Procedure No. VOR Runway 9, Amdt. 4; Eff. date, 4 Nov. 67; Sup. Amdt. No. Ter VOR-9, Amdt. 3; Dated, 13 Aug. 66

R 216°, ESC VOR counterclockwise	R 101°, ESC VOR	Via 8-mile DME Arc.	2300	T-dn	300-1	300-1	200-½
				C-dn*	500-1	500-1	500-1½
R 338°, ESC VOR clockwise	R 101°, ESC VOR	Via 8-mile DME Arc.	2300	S-dn-27*$	400-1	400-1	400-1
				A-dn*	800-2	800-2	800-2
8-mile DME Fix, R 101° ESC VOR	2-mile DME Fix, R 101° (final)	Direct	1104	Minimums with DME:			
				S-dn-27*$	400-1	400-1	400-1

Procedure turn N side of crs, 101° Outbnd, 281° Inbnd, 2100' within 10 miles.
Minimum altitude over 2-mile DME Fix on final approach crs, #1104' #(1304' when control zone not effective).
Facility on airport.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of VOR, climb to 2100' on R 281° within 10 miles, return to VOR.
NOTES: (1) Use Marquette, Mich., altimeter setting when control zone not effective. (2) Circling and straight-in ceiling minimums are raised 200', and alternate minimums not authorized when control zone not effective.
CAUTION: Magnetic disturbance of as much as 14° exists at ground level at Escanaba.
*These minimums apply at all times for air carriers with approved weather reporting service.
$Reduction not authorized for nonstandard REIL.
MSA within 25 miles of facility: 000°-090°—2200'; 090°-180°—1900'; 180°-270°—2300'; 270°-360°—2200'.

City, Escanaba; State, Mich.; Airport name, Escanaba Municipal; Elev., 604'; Fac. Class., L-BVORTAC; Ident., ESC; Procedure No. VOR Runway 27, Amdt. 2; Eff. date, 4 Nov. 67; Sup. Amdt. No. Ter VOR-27, Amdt. 1; Dated, 7 Jan. 67

R 305°, MOT VOR counterclockwise	R 247°, MOT VOR	Via 10-mile DME Arc.	3600	T-dn%	200-1	300-1	200-½
				C-dn	600-1	600-1	600-1½
R 200°, MOT VOR clockwise	R 220°, MOT VOR	Via 10-mile DME Arc.	4100	S-dn-8	600-1	600-1	600-1
				A-dn	800-2	800-2	800-2
R 220°, MOT VOR clockwise	R 247°, MOT VOR	Via 10-mile DME Arc.	3600	Minimums with DME or radar:			
				C-dn	500-1	500-1	500-1½
10-mile DME Fix, R 247°	4-mile DME Fix, R 247 (final)	Direct	2323	S-dn-8*	500-1	500-1	500-1

Radar available.
Procedure turn S side of crs, 247° Outbnd, 067° Inbnd, 3600' within 10 miles.
Minimum altitude over 4-mile DME Fix or Radar Fix on final approach crs, 2323'.
Facility on airport.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile, of MOT VOR climb to 3600' on R 084° within 10 miles and return to VOR.
CAUTION: Runways 18/36 unlighted.
*500-¾ authorized with operative HIRL, except for 4-engine turbojets.
%When weather is less than 800-1 aircraft departing Runways 8 and 12, climb to 2200' on R 116° prior to proceeding southbound. Aircraft departing Runways 18 and 26, climb to 2900' on R 247° prior to proceeding southbound due to towers S of the airport.
MSA within 25 miles of facility: 000°-090°—3500'; 090°-270°—4200'; 270°-360°—3600'.

City, Minot; State, N. Dak.; Airport name, Minot International; Elev., 1723'; Fac. Class., L-BVORTAC; Ident., MOT; Procedure No. VOR Runway 8, Amdt. 3; Eff. date, 4 Nov. 67; Sup. Amdt. No. VOR Runway 8, Amdt. 2; Dated, 2 Sept. 67

VOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
R 151° MOT VOR counterclockwise	R 084°, MOT VOR	Via 7-mile DME Arc.	3400	T-dn%	300-1	300-1	200-½
				C-dn	500-1	500-1	500-1½
7-mile DME Fix, R 084°	MOT VOR (final)	Direct	2123	S-dn-26*	400-1	400-1	400-1
				A-dn	800-2	800-2	800-2

Radar available.
Procedure turn N side of crs, 084° Outbnd, 264° Inbnd, 3400′ within 10 miles.
Minimum altitude over facility on final approach crs, 2123′.
Facility on airport.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of MOT VOR climb to 3600′ on R 247° within 10 miles and return to VOR.
CAUTION: Runways 18/36 unlighted.
%When weather is less than 800–1 aircraft departing Runways 8 and 12, climb to 2900′ on R 116° prior to proceeding southbound. Aircraft departing Runways 18 and 26, climb to 2900′ on R 247° prior to proceeding southbound due to towers S of the airport.
*400–¾ authorized with operative HIRL, except for 4-engine turbojets.
MSA within 25 miles of facility: 000°–090°—3500′; 090°–270°—4200′; 270°–360°—3600′.

City, Minot; State, N. Dak.; Airport name, Minot International; Elev., 1723′; Fac. Class., L-BVORTAC; Ident., MOT; Procedure No. VOR Runway 26, Amdt.3; Eff. date, 4 Nov. 67; Sup. Amdt. No. VOR Runway 26, Amdt. 2; Dated, 2 Sept. 67

Jamestown Int	Agnew Int (final)	Direct	2500	T-dn%	300-1	300-1	200-½
				C-d*	700-1	700-1	700-1½
				C-n*	700-2	700-2	700-2
				A-d**	800-2	800-2	800-2
				A-n**	800-3	800-3	800-3

Procedure turn N side of crs, 068° Outbnd, 248° Inbnd, 2800′ within 10 miles.
(Final approach from holding pattern at CLM VOR not authorized, procedure turn required.)
Minimum altitude over facility on final approach crs, 1000′.
Crs and distance, facility to airport, 226°—3.4 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.4 miles after passing CLM VOR, turn right, climb to 3000′ on R 068° CLM VOR within 10 miles. All maneuvering N of R 068°.
*CAUTION: Circling authorized N of Runways 8–26 only. 1600′ terrain 2 miles S of Clallam County Airport.
%Takeoffs all runways: 500–1 required Runway 13. After takeoff Runways 13 and 8 turn left, Runways 26 and 31 turn right, climb direct to CLM VOR, continue climb on R 068° within 10 miles to cross CLM VOR at or above for direction of flight; Westbound V4, V287, 3400′; eastbound V4, V287, 1100′. All turns N of R 068°.
**Alternate minimums authorized only for those with approved weather service at airport.
MSA within 25 miles of facility: 000°–090°—4000′; 090°–270°—9000′; 270°–360°—3500′.

City, Port Angeles; State, Wash.; Airport name, Clallam County; Elev., 290′; Fac. Class., L-BVOR; Ident., CLM; Procedure No. VOR-1, Amdt. 2; Eff. date, 4 Nov. 67; Sup. Amdt. No. VOR 1, Amdt. 1; Dated, 25 Sept. 65

				T-dn	300-1	300-1	200-½
				C-dn	500-1	500-1	500-1½
				S-dn-5**	500-1	500-1	500-1
				A-dn	800-2	800-2	800-2
				If Carpenter Int or 6.6-mile DME Fix received, minimums are:			
				S-dn-5#	400-1	400-1	400-1

Radar available.
Procedure turn W side of crs, 235° Outbnd, 055° Inbnd, 2000′ within 10 miles.
Minimum altitude over RDU VOR, 935′.
Crs and distance: Carpenter Int to Runway 5, 055°—5.8 miles; breakoff point to Runway 5, 049°—0.6 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished over RDU VOR, climb to 2000′ on R 055° or, when directed by ATC, (1) turn left, climb to 2000′ on R 041°, or (2) turn left, climb to 2400′ on R 309°. All within 20 miles.
**Reduction of landing visibility below ¾ mile not authorized.
#400–¾ (RVR 4000′) authorized with operative HIRL, except for 4-engine turbojets. 400–½ (RVR 2400′) authorized with operative ALS, except for 4-engine turbojets.
MSA within 25 miles of facility: 000°–090°—1800′; 090°–180°—2800′; 180°–270°—1800′; 270°–360°—2500′.

City, Raleigh; State, N.C.; Airport name, Raleigh-Durham; Elev., 435′; Fac. Class., H-BVORTAC; Ident., RDU; Procedure No. VOR Runway 5, Amdt. 4; Eff. date, 4 Nov. 67; Sup. Amdt. No. TerVOR-5, Amdt. 3; Dated, 23 Jan. 65

				T-dn	300-1	300-1	200-½
				C-dn	500-1	500-1	500-1½
				S-dn-23	500-1	500-1	500-1
				A-dn	800-2	800-2	800-2

Radar available.
Procedure turn W side of crs, 038° Outbnd, 218° Inbnd, 2000′ within 10 miles.
Minimum altitude over RDU VOR, 935′.
Crs and distance, Byron Int to breakoff point, 218°—4 miles.
Crs and distance, breakoff point to Runway 23, 229°—0.3 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished over RDU VOR, climb to 2000′ on R 218° or, when directed by ATC, turn right, climb to 2400′ on R 309° both within 15 miles.
MSA within 25 miles of facility: 000°–090°—1800′; 090°–180°—2800′; 180°–270°—1800′; 270°–360°—2500′.

City, Raleigh; State, N.C.; Airport name, Raleigh-Durham; Elev., 435′; Fac. Class., H-BVORTAC; Ident., RDU; Procedure No. VOR Runway 23, Amdt. 4; Eff. date, 4 Nov. 67; Sup. Amdt. No. TerVOR-23, Amdt. 3; Dated, 23 Jan. 65

				T-dn	300-1	300-1	300-1
				C-dn	500-1	500-1	500-1½
				A-dn	800-2	800-2	800-2

Procedure turn S side of crs, 246° Outbnd, 066° Inbnd, 6200′ within 10 miles.
Minimum altitude over facility on final approach crs, 5900′.
Crs and distance, facility to airport, 066°—5 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5 miles after passing SNY VOR, climb to 6200′ on SNY R 077° within 15 miles, turn right and return to VOR.
CAUTION: When weather below 600–1, plan flight to avoid 4787′ tower, 2 miles S of airport when departing to S.
MSA within 25 miles of facility: 315°–135°—5800′; 135°–315°—6300′.

City, Sidney; State, Nebr.; Airport name, Sidney Municipal; Elev., 4293′; Fac. Class., H-BVOR; Ident., SNY; Procedure No. VOR-1, Amdt. 4; Eff. date, 4 Nov. 67; Sup. Amdt. No. VOR 1, Amdt. 3; Dated, 24 Jan. 65

3. By amending the following very high frequency omnirange—distance measuring equipment (VOR/DME) procedures prescribed in § 97.15 to read:

VOR/DME STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
PROCEDURE CANCELED, EFFECTIVE 4 NOV. 1967.							
City, Albany; State, N.Y.; Airport name, Albany County; Elev., 285'; Fac. Class., BVORTAC; Ident., ALB; Procedure No. 2, Amdt. 4; Eff. date, 9 Jan. 65; Sup. Amdt. No. 3; Dated, 2 Nov. 63							
PROCEDURE CANCELED, EFFECTIVE 4 NOV. 1967.							
City, Albany; State, N.Y.; Airport name, Albany County; Elev., 285'; Fac. Class., BVORTAC; Ident., ALB; Procedure No. 3, Amdt. 3; Eff. date, 9 Jan. 65; Sup. Amdt. No. 2; Dated, 2 Nov. 63							
MOT VOR	4-mile DME Fix, R 314°	Direct	3200	T-dn¾	200-1	200-1	200-½
R 258°, MOT VOR clockwise	R 314°, MOT VOR	Via 10-mile DME Arc.	3200	C-dn	500-1	500-1	500-1½
				S-dn-12°	500-1	500-1	500-1
10-mile DME Fix, R 314°	4-mile DME Fix, R 314° (final)	Direct	2700	A-dn	800-2	800-2	800-2

Radar available.
Procedure turn W side of crs, 314° Outbnd, 134° Inbnd, 3300' between 4- and 14-mile DME Fix, R 314°.
Minimum altitude over 4-mile DME Fix or Radar Fix on final approach crs, 2700'.
Crs and distance, 4-mile DME Fix to airport, 134°—3.5 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of MOT VOR, climb to 3400' on R 116° within 10 miles and return to VOR.
NOTE: Final approach from holding pattern at 4-mile DME Fix, R 314° not authorized, procedure turn required.
CAUTION: Runways 18/36 unlighted.
%When weather is less than 800-1 aircraft departing Runways 8 and 12, climb to 2900' on R 116° prior to proceeding southbound. Aircraft departing Runways 18 and 26, climb to 2900' on R 247° prior to proceeding southbound due to towers S of the airport.
*500-¾ authorized with operative HIRL, except for 4-engine turbojets.
MSA within 25 miles of facility: 000°-090°—3500'; 090°-270°—4200'; 270°-360°—3000'.

City, Minot; State, N. Dak.; Airport name, Minot International; Elev., 1723'; Fac. Class., L-BVORTAC; Ident., MOT; Procedure No. VOR/DME Runway 12, Amdt. 3; Eff. date, 4 Nov. 67; Sup. Amdt. No. VOR/DME Runway 12, Amdt. 2; Dated, 2 Sept. 67

MOT VOR	3.3-mile DME Fix, R 116°	Direct	3400	T-dn¾	200-1	200-1	200-½
R 151°, MOT VOR counterclockwise	R 116°, MOT VOR	Via 10-mile DME Arc.	3400	C-dn	500-1	500-1	500-1½
				S-dn-30°	400-1	400-1	400-1
R 080°, MOT VOR clockwise	R 116°, MOT VOR	Via 10-mile DME Arc.	3400	A-dn	800-2	800-2	800-2
10-mile DME Fix, R 116°	3.3-mile DME Fix, R 116° (final)	Direct	2200				

Radar available.
Procedure turn E side of crs, 116° Outbnd, 296° Inbnd, 3400' between 3.3- and 13.3-mile DME Fix, R 116°.
Minimum altitude over 3.3-mile DME Fix or Radar Fix on final approach crs, 2500'.
Crs and distance, 3.3-mile DME Fix to airport, 296°—2.8 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of MOT VOR climb to 3400' on R 314° within 10 miles and return to VOR.
NOTE: Final approach from holding pattern at 3.3-mile DME Fix, R 116° not authorized, procedure turn required.
CAUTION: Runways 18/36 unlighted.
%When weather is less than 800-1 aircraft departing Runways 8 and 12, climb to 2900' on R 116° prior to proceeding southbound. Aircraft departing Runways 18 and 26, climb to 2900' on R 247° prior to proceeding southbound due to towers S of the airport.
*400-¾ authorized with operative HIRL, except for 4-engine turbojets.
MSA within 25 miles of facility: 000°-090°—3500'; 090°-270°—4200'; 270°-360°—3000'.

City, Minot; State, N. Dak.; Airport name, Minot International; Elev., 1723'; Fac. Class., L-BVORTAC; Ident., MOT; Procedure No. VOR/DME Runway 30, Amdt. 3; Eff. date, 4 Nov. 67; Sup. Amdt. No. VOR/DME Runway 30, Amdt. 2; Dated, 2 Sept. 67

4. By amending the following instrument landing system procedures prescribed in § 97.17 to read:

ILS STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
DAB VORTAC	LOM	Direct	1500	T-dn	300-1	300-1	200-½
Barberville Int	LOM	Direct	1600	C-dn	500-1	500-1	500-1½
Lake Helen Int	LOM	Direct	1600	S-dn-6°	200-½	200-½	200-½
Smyrna Int	LOM	Direct	1500	A-dn	600-2	600-2	600-2
Woodruff Int	LOM (final)	Direct	1400				

Procedure turn N side of crs, 245° Outbnd, 065° Inbnd, 1400′ within 10 miles.
Minimum altitude at glide slope interception Inbnd, 1400′.
Altitude of glide slope and distance to approach end of runway at OM, 1378′—4.7 miles; at MM, 233′—0.6 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.7 miles after passing LOM, climb to 1500′ on NE crs ILS, make left turn and proceed to Daytona Beach VORTAC via the R 140° or, when directed by ATC, climb on NE crs ILS, make right turn and proceed to Smyrna Int via DAB, R 161°.
*400-¾ required with glide slope inoperative. 400-½ authorized with operative ALS, except for 4-engine turbojets.
MSA within 25 miles of LOM: 000°-090°—1400′; 090°-180°—1500′; 180°-270°—2100′; 270°-360°—1400′.

City, Daytona Beach; State, Fla.; Airport name, Daytona Beach Municipal; Elev., 34′; Fac. Class., ILS; Ident., I-DAB; Procedure No. ILS Runway 6, Amdt. 9; Eff. date, 4 Nov. 67; Sup. Amdt. No. ILS-6, Amdt. 8; Dated, 2 Apr. 66

MS LOM	Hopkins VHF/DME Int¢	Direct	3000	T-dn	300-1	300-1	200-½
FCM VOR	Hopkins VHF/DME Int¢	Direct	3000	C-dn	500-1	500-1	500-1½
MSP VOR	Wayzata Int	Direct	3000	S-dn-11R#	400-1	400-1	400-1
Loretto Int	Wayzata Int	Direct	3000	A-dn	800-2	800-2	800-2
Wayzata Int	Hopkins VHF/DME Int (final)¢	Direct	3000				
Chaska Int	Wayzata Int	Direct	3000				

Radar available.
Procedure turn S side of crs, 295° Outbnd, 115′ Inbnd, 3000′ within 10 miles of ¢Hopkins VHF/DME Int.
No glide slope, outer or middle marker, and no approach lights.
Minimum altitude over ¢Hopkins VHF/DME Int or Radar Fix, 3000′; over $Washburn VHF/DME Int or Radar Fix, 1800′.
Crs and distance, ¢Hopkins VHF/DME Int to airport, 115°—5.8 miles; $Washburn VHF/DME Int to airport, 115°—2.4 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.8 miles after passing ¢Hopkins VHF/DME Int, climb to 2600′ on SE crs ILS within 10 miles, or when directed by ATC, make right-climbing turn to 2300′ and proceed to AP LOM.
NOTES: (1) Dual VOR receivers, DME or radar required. (2) Recommended altitudes for noise abatement on final approach: 6-mile DME Fix, 2600′; 5-mile DME Fix, 2200′.
¢Distance Hopkins VHF/DME Int to zero reference point abeam glide slope associated with I-MSP-DME (Channel 40) 7.2 miles.
$Distance Washburn VHF/DME Int to zero reference point abeam glide slope associated with I-MSP-DME (Channel 40) 3.8 miles.
#400-¾ authorized with operative HIRL, except for 4-engine turbojets. Reduction not authorized for nonstandard REIL.

City, Minneapolis; State, Minn.; Airport name, Minneapolis-St. Paul International (Wold Chamberlain); Elev., 840′; Fac. Class., ILS; Ident., I-MSP; Procedure No. LOC (BC) Runway 11R, Amdt. 12; Eff. date, 4 Nov. 67; Sup. Amdt. No. ILS-11R (BC), Amdt. 11; Dated, 17 Sept. 66

Prior Int via Loc crs	Snelling Int	Direct	2500	T-dn	300-1	300-1	200-½
White Bear Int	NE crs ILS (final)	Via R 011, FGT VOR.	2400	C-dn	500-1	500-1	500-1½
				S-dn-22¢	500-1	500-1	500-1
FGT VOR	Snelling Int	Direct	2500	A-dn	800-2	800-2	800-2

Radar available.
Procedure turn N side of crs, 039° Outbnd, 219° Inbnd, 2500′ within 10 miles of Snelling Int.
No glide slope or markers.
Minimum altitude over Snelling Int or Radar Fix on final approach crs, 2400′; over Highland Int or Radar Fix on final approach crs, 1500′.
Crs and distance, Snelling Int to airport, 219°—5.1 miles; Highland Int to airport, 219°—2.1 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.1 miles after passing Snelling Int, climb to 2300′ on SW crs of ILS to AP LOM or, when directed by ATC, make left-climbing turn to 2600′ and proceed to MS LOM.
NOTES: (1) Dual VOR receivers or radar required. (2) ¢500-¾ authorized with operative HIRL, except for 4-engine turbojets. Reduction below ¾ mile not authorized. Reduction not authorized for nonstandard REIL.

City, Minneapolis; State, Minn.; Airport name, Minneapolis-St. Paul International (Wold-Chamberlain); Elev., 840′; Fac. Class., ILS; Ident., I-APL; Procedure No. LOC (BC) Runway 22, Amdt. 7; Eff. date, 4 Nov. 67; Sup. Amdt. No. ILS-22 (BC), Amdt. 6; Dated, 17 Sept. 66

Raleigh RBn	LOM	Direct	2000	T-dn#	300-1	300-1	200-½
Raleigh VORTAC	LOM	Direct	2000	C-dn	500-1	500-1	500-1½
Chapel Hill Int	LOM	Direct	2100	S-dn-5#*	200-½	200-½	200-½
Holly Springs Int	LOM	Direct	2000	A-dn	600-2	600-2	600-2
Moncure Int	LOM (final)	Direct	2000				
Durham Int	LOM	Direct	2000				
Int LIB VOR, R 102° and RDU VORTAC, R 244°.	LOM (final)	Direct	2000				

Radar available.
Procedure turn N side of crs, 229° Outbnd, 049° Inbnd, 2000′ within 10 miles.
Minimum altitude at glide slope interception Inbnd, 2000′.
Altitude of glide slope and distance to approach end of runway at OM, 2025′—5.8 miles, at MM, 614′—0.6 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.8 miles after passing LOM, climb to 2000′ on R 041° of VORTAC within 15 miles or, when directed by ATC, turn left, climb to 2400′ on R 309° of VORTAC within 15 miles.
##RVR 2400′. Descent below 635′ not authorized unless ALS visible.
*300-¾ (RVR 4000′) authorized when glide slope not utilized. 300-½ (RVR 2400′) authorized with operative ALS, except for 4-engine turbojets.
#RVR 2400′ authorized Runway 5.

City, Raleigh; State, N.C.; Airport name, Raleigh-Durham; Elev., 435′; Fac. Class., ILS; Ident., I-RDU; Procedure No. ILS Runway 5, Amdt. 10; Eff. date, 4 Nov. 67; Sup. Amdt. No. ILS-5, Amdt. 9; Dated, 13 Nov. 65

ILS STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
RDU LOM	RDU RBn	Direct	2000	T-dn	300-1	300-1	200-½
RDU VOR	RDU RBn	Direct	2000	C-dn	600-1	600-1	600-1½
Wendell Int	RDU RBn	Direct	2000	S-dn-23	600-1	600-1	600-1
Chapel Hill Int	RDU RBn	Direct	2100	A-dn	800-2	800-2	800-2
Durham Int	RDU RBn	Direct	2000				
Franklinton Int	RDU RBn	Direct	2000				
Zebulon Int	RDU RBn	Direct	2000				

Radar available.
Procedure turn N side of crs, 049° Outbnd, 229° Inbnd, 2000' within 10 miles of RDU RBn.
Minimum altitude over facility on final approach crs, 1500'.
No glide slope.
Crs and distance, facility to airport, 229°—4 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4 miles after passing RDU RBn, climb to 2000' on SW crs ILS (229°) within 15 miles, or when directed by ATC, turn right, climb to 2000' on R 309° RDU VOR within 15 miles, or climb to 2000' returning direct to RDU RBn.
MSA within 25 miles of RDU RBn: 000°-090°—1800'; 090°-180°—2300'; 180°-270°—1800'; 270°-360°—2300'.

City, Raleigh; State, N.C.; Airport name, Raleigh-Durham; Elev., 435'; Fac. Class., ILS; Ident., I-RDU; Procedure No. LOC (BC) Runway 23, Amdt. 10; Eff. date, 4 Nov. 67; Sup. Amdt. No. ILS-23 (BC), Amdt. 9; Dated, 23 Jan. 65

SUX VOR	JKN NDB	Direct	2600	T-dn	300-1	300-1	*200-½
Jefferson Int	JKN NDB	Direct	2600	C-dn	600-1	600-1	600-1½
Hubbard Int	JKN NDB	Direct	2600	S-dn-13#	400-1	400-1	400-1
				A-dn	800-2	800-2	800-2
R 266°, SUX VOR clockwise	R 308°, SUX VOR	Via 19-mile DME Arc.	3100				
R 037°, SUX VOR counterclockwise	R 346°, SUX VOR	Via 19-mile DME Arc.	4400				
R 346°, SUX VOR counterclockwise	R 308°, SUX VOR	Via 19-mile DME Arc.	3100				
19-mile DME Fix, R 308°	JKN NDB (final)	Direct	2200				

Procedure turn W side of crs, 307° Outbnd, 127° Inbnd, 2600' within 10 miles.
Minimum altitude over JKN NDB on final approach, 2300'.
Crs and distance, JKN NDB to approach end of runway, 127°—4.1 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.1 miles after passing JKN NDB, climb to 2800' on SE crs of ILS within 10 miles, return to JKN NDB.
NOTE: For north- and northeast-bound departures when weather is below 2400-2 flight below 2200' beyond 4 miles from airport and flight below 3300' beyond 8 miles from airport is prohibited between R 332° and R 025° inclusive of the SUX VOR. Restrictions are due to 2429' tower, 6½ miles NE and 3329' tower, 12 miles NE of airport.
#400-¾ authorized with operative REIL or HIRL, except for 4-engine turbojets.
*300-1 required for all takeoffs on Runway 4, due to 1318' terrain, 1.4 miles ENE of airport.
MSA within 25 miles of JKN NDB: 000°-090°—4400'; 090°-180°—2900'; 180°-360°—2700'.

City, Sioux City; State, Iowa; Airport name, Sioux City Municipal; Elev., 1097'; Fac. Class., ILS; Ident., I-SUX; Procedure No. LOC (BC) Runway 13, Amdt. 7; Eff. date, 4 Nov. 67; Sup. Amdt. No. LOC (BC) Runway 13, Amdt. 6; Dated, 13 May 67

SUX VOR	LOM	Direct	2600	T-dn*	300-1	300-1	%200-½
R 037°, SUX VOR clockwise	R 125°, SUX VOR	Via 10-mile DME Arc.	3000	C-dn	600-1	600-1	600-1½
				S-dn-31$	200-½	200-½	200-½
R 238°, SUX VOR counterclockwise	R 125°, SUX VOR	Via 10-mile DME Arc.	2000	A-dn	600-2	600-2	600-2
10-mile DME Fix, R 125°, SUX VOR	OM (final)	Via SUX LOC	2600				

Procedure turn E side of crs, 127° Outbnd, 307° Inbnd, 2600' within 10 miles.
Minimum altitude at glide slope interception Inbnd, 2600'.
Altitude of glide slope and distance to approach end of runway at OM, 2576'—5.3 miles; at MM, 1237'—0.5 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.3 miles after passing LOM, climb to 2600' on NW crs ILS within 10 miles, return to LOM or, when directed by ATC, turn left and climb to 3700' on R 266° of SUX VOR within 10 miles, return to VOR.
NOTE: For north- and northeast-bound departures when weather is below 2400-2, flight below 2900' beyond 4 miles from airport and flight below 3300' beyond 8 miles from airport is prohibited between R 332° and R 025° inclusive of the SUX VOR. Restrictions are due to 2429' tower, 6½ miles NE and 3329' tower, 12 miles NE of airport.
$300-¾ required when glide slope not utilized and 300-½ authorized with operative ALS except for 4-engine turbojets.
%300-1 required for all takeoffs on Runway 4, due to 1318' terrain, 1.4 miles ENE of airport.
*RVR 2400' authorized Runway 31.
¢RVR 2400'. Descent below 1297' not authorized unless approach lights are visible.
MSA within 25 miles of LOM: 270°-090°—4400'; 090°-270°—2700'.

City, Sioux City; State, Iowa; Airport name, Sioux City Municipal; Elev., 1097'; Fac. Class., ILS; Ident., I-SUX; Procedure No. ILS Runway 31, Amdt. 14; Eff. date, 4 Nov. 67; Sup. Amdt. No. ILS Runway 31, Amdt. 13; Dated, 13 May 67

5. By amending the following radar procedures prescribed in § 97.19 to read:

RADAR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet, MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If a radar instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitude(s) shall correspond with those established for en route operation in the particular area or as set forth below. Positive identification must be established with the radar controller. From initial contact with radar to final authorized landing minimums, the instructions of the radar controller are mandatory except when (A) visual contact is established on final approach at or before descent to the authorized landing minimums, or (B) at pilot's discretion if it appears desirable to discontinue the approach, except when the radar controller may direct otherwise prior to final approach, a missed approach shall be executed as provided below when (A) communication on final approach is lost for more than 5 seconds during a precision approach, or for more than 30 seconds during a surveillance approach; (B) directed by radar controller; (C) visual contact is not established upon descent to authorized landing minimums; or (D) if landing is not accomplished.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
				Surveillance approaches			
				T-dn%	300-1	300-1	*200-½
				C-dn#	500-1	500-1	500-1½
				S-dn-29$	400-1	400-1	400-1
				S-dn-11**	400-1	400-1	400-1
				A-dn	800-2	800-2	800-2

As established on Oakland Radar MOCA chart and Oakland minimum altitude vectoring charts.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished: Runway 29—Turn right to intercept OAK VOR, R 313° and proceed to Richmond Int climbing to 3000'. Runway 11—Proceed direct to the IN LOM, climbing to 2500' in a 1-minute holding pattern NW of LOM (120° Inbnd), left turns.

*300-1 required Runways 33 and 15.

%RVR 1800' authorized Runway 29. IFR departures must comply with published Oakland SID's or be radar vectored.

**$400-¾ authorized with operative HIRL, except for 4-engine turbojets.

$400-½ authorized with operative ALS, except for 4-engine turbojets.

#Circling N of Runways 9/27 below 700' not authorized due to 362' tank, 1.6 miles N of airport.

City, Oakland; State, Calif.; Airport name, Oakland International; Elev., 6'; Fac. Class. and Ident., Oakland Radar; Procedure No. 1, Amdt. 14; Eff. date, 4 Nov. 67; Supp. Amdt. No. 1, Amdt. 13; Dated, 23 Oct. 65

These procedures shall become effective on the dates specified therein.

(Secs. 307(c), 313(a), and 601 of the Federal Aviation Act of 1958; 49 U.S.C. 1348(c), 1354(a), 1421; 72 Stat. 749, 752, 775)

Issued in Washington, D.C., on September 27, 1967.

W. E. ROGERS,
Acting Director, Flight Standards Service.

[F.R. Doc. 67-11739; Filed, Oct. 16, 1967; 8:45 a.m.]

Chapter II—Civil Aeronautics Board

SUBCHAPTER A—ECONOMIC REGULATIONS

[Reg. ER-514]

PART 298—CLASSIFICATION AND EXEMPTION OF AIR TAXI OPERATORS

Miscellaneous Amendments

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 11th day of October, 1967.

In a notice of proposed rule making issued July 11, 1967, EDR-119, Docket 18782, and published at 32 F.R. 10450-52, the Board announced its intention to amend Part 298 of the Economic Regulations (14 CFR Part 298) to (1) extend the term of the air carriers' authority to carry mail to June 30, 1969; (2) permit air taxi mail service to begin under a temporary mail rate; and (3) authorize individual exemptions for air taxi mail service in certain competitive markets. Under the proposed amendment, the Post Office Department could gain mail authority for air taxi operators in markets where a certificated route carrier is currently authorized to provide service by filing either a "Regular" or an "Expedited" Notice of Intent to Use Air Taxi Mail Service. An "expedited" notice would differ from a "regular" notice in that it would require the Post Office Department to represent that the certificated route carriers had no objection. Unless suspended by the filing of an objection or by Board order, an "expedited" notice would be automatically effective after 5 days; a "regular" notice would be automatically effective after 10 days. If an objection were filed, however, no service could begin until the Board authorized it. In the absence of objection, or pursuant to a Board order entered after objection, the service could be instituted under a rate jointly agreed to by the air taxi operator and the Post Office Department, with a final rate to be later fixed by the Board retroactive to the date of beginning of service.

Comments have been filed by the Post Office Department, five certificated route carriers, the National Air Taxi Conference, and three air taxi operators. After full consideration, the Board has decided to adopt the rule with certain modifications suggested in the comments.

Only two certificated carriers advocate continuing the present prohibition against air taxi mail service in competitive markets. But their pleadings are argumentative and do not challenge our tentative findings of fact set forth in the explanatory statement to the proposed rule (EDR-119). Those findings, which we incorporate herein by reference and make final, fully support our conclusion that such service is often essential to meet urgent postal needs. Additional support for this conclusion is contained in the resources to our rule making notice. Thus, the Post Office Department's comments confirm our tentative findings that most priority mail moves at night,[1] and its comments and others demonstrate that the Department is unable to obtain all necessary late evening schedules from the certificated route carriers. While it is suggested that the Board should continue to require a showing of need for air taxi services in particular markets on a case-by-case basis, we are not abandoning the case-by-case approach. No blanket exemption is being issued. In each case, the Post Office Department must make a convincing showing that the certificated carriers do not and will not

[1] In response to the air carrier's suggested changes in the proposed rule, the Post Office Department filed a motion for leave to file a rebuttal statement, together with a copy of the statement itself. No objections having been received, we grant the motion.

provide convenient schedules.[2] Only then, and absent protest, can any air taxi operator gain authority to transport mail over certificated routes without further Board order.

Concern also has been expressed that the Post Office Department might divert mail to air taxi operators during daytime hours, or when certificated schedules pose only "relatively minor" or temporary "inconveniences". However, the Department has stated in its comments that:

> The public records of the Board will reflect the fact that the Department has never attempted to secure air taxi mail service in a certificated market until it has exhausted all reasonable means for securing the needed schedules from the certificated carriers in the market. This is a policy of the Department and will, if the proposed amendments are adopted, be continued without change. At no time will mail be diverted from a certificated carrier which is providing schedules which provide satisfactory delivery times for the mail involved.

Giving proper weight to the Department's policy statement, the Board cannot conclude that the present prohibition against air taxi service in competitive markets is necessary to protect the certificated route carriers.

We deny the requests that the air taxi operators not be authorized to transport mail other than that bearing airmail postage and that any air taxi mail authority shall terminate automatically whenever a certificated carrier begins to provide adequate schedules. According to the Post Office Department, the problems necessitating air taxi service for airmail are equally applicable to first-class mail. The Post Office Department also has stated its intention to abandon any air taxi services when adequate schedules are available from certificated carriers, and also points out that the rates demanded by air taxi operators ordinarily are higher than those of the certificated carriers. In addition, the Department must itself perform certain terminal functions for air taxi operators which the certificated carriers provide as part of their regular service. In all, the Department states that principles of sound management and simple economics will lead the Department to switch from air taxi operators whenever the certificated carriers begin to provide equally convenient schedules. Moreover, the Board retains authority to terminate air taxi mail exemptions, and hence no special provision in the amendment is warranted.

Objection also has been made to our permitting operations to begin under an agreed upon mail rate, on grounds that the Board will have difficulties in altering or reviewing such rate. No reason has been advanced, however, which would warrant any conclusion that the Board is less able or willing to fix the proper rate after service has begun than in advance of such service. In accordance with the Post Office Department's request, the rule has been modified to permit the Department to file a rate petition either separately or as part of the notice where the notice states that the air taxi operator has authorized the Department to petition for a mutually agreed-upon rate.

Finally, we will grant the Post Office Department request that the rule be made effective immediately. In support of such request, the Department points out that the tremendous increase in mail during the Christmas period begins in early November. According to the Department, the amended rule should be made effective now so that the Department can inaugurate air taxi mail service sufficiently in advance of the Christmas mail rush to correct the initial difficulties which are normally attendant upon an air taxi operator's first venture into the mail transportation service. An immediate effective date is also necessary, we are told, in order to allow the Department adequate time to issue instructions to field personnel for necessary changes in the handling and rerouting of air taxi mail.

The Board finds that the special circumstances described above constitute good cause for making amended Part 298 effective immediately. Moreover, the proposed amendments are largely procedural in nature. No blanket exemption authority is being granted. The proposed rule simply establishes a procedure whereby future applications may be filed under an expedited schedule. Those applications will be subject to objection and protest. Hence, the proposed procedure itself does not adversely affect any person or require any person to adjust its operations.

Accordingly, the Civil Aeronautics Board hereby amends Part 298 of its Economic Regulations (14 CFR Part 298) effective October 17, 1967, as follows:

1. By amending § 298.13 so that the section will read as follows:

§ 298.13 Duration of exemption.

The exemption from any provision of Title IV of the Act provided by § 298.11 shall continue in effect only until such time as the Board shall find that enforcement of such provision would be in the public interest or would no longer be a burden on air taxi operators: *Provided,* That upon such a finding as to any air taxi operator or class of air taxi operators, such exemption shall to that extent terminate with respect to such operator or class of operators: *And provided further,* That the authorizations to air taxi operators to engage in the transportation of mail by aircraft within the 48 contiguous States and Hawaii shall terminate on June 30, 1969.

2. By amending § 298.21(f) so that the subsection will read as follows:

§ 298.21 Scope of service authorized.

* * * * *

(f) *Limitations on carriage of mail within the 48 contiguous States and Hawaii.* Within the 48 contiguous States and Hawaii, an air taxi operator shall not be authorized to carry mail between any pair of points (1) when there is no final mail rate, or agreed-upon mail rate filed pursuant to § 298.24(e) for such carriage; (2) when an air carrier holds a certificate of public convenience and necessity pursuant to section 401(d) (1) or (2) of the Act which authorizes service between such pair of points and such authority has not been suspended; or (3) when an air carrier holding a certificate of public convenience and necessity pursuant to section 401(d) (1) or (2) of the Act has authority to serve between such pair of points by reason of an exemption authorization issued pursuant to section 416(b)(1) of the Act: *Provided, however,* That with respect to a market which a certificated helicopter carrier is authorized to serve under an area exemption order, an air taxi operator will be prohibited from carrying mail therein only if there is an approved flight pattern with respect to such market under Part 376 of this chapter (Board's special regulations): *Provided further,* That this subsection shall not preclude an air taxi operator from carrying mail between any pair of points regarding which there is in effect a notice of intent to use air taxi mail service, as provided in § 298.24. The rules applicable to final mail rate proceedings set forth in Part 302 of this chapter shall govern the procedure for establishing a final mail rate of an air taxi operator for purposes of this part. (See §§ 302.300 through 302.321, excluding § 302.310 of this chapter.)

3. By adding a new § 298.24, reading as follows:

§ 298.24 Authority to carry mail in competitive markets.

(a) *General scope.* An air taxi operator may carry mail between a pair of points named in a notice of intent to use air taxi mail service which is effective pursuant to this section. Such a notice may be filed only by the Post Office Department and shall be conspicuously entitled either regular notice of intent to use air taxi mail service or expedited

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[2] To clarify our intentions in this respect, we have revised our rule to require the Post Office Department to supply data to support its reasons why the Department deems the proposed service to be required.

We reject as unnecessary and unduly burdensome the suggestion that the Department submit copies of correspondence with the certificated carriers' management to substantiate the Department's statement in the notices that adequate certificated service is not available or that the carriers do not object to air taxi mail service. The rule will be modified, however, to require the Department to explain factually in its "expedited" notices how it has ascertained that no interested route carrier objects to the proposed air taxi mail service. We also will require the Post Office Department to serve "expedited" notices by telegram, and "regular" notices by airmail, and these requirements in our view will afford sufficient time to carriers to respond to the notices.

In response to the suggestion of the National Air Taxi Conference, we will direct our staff to list notices of intent to use air taxi mail service in the "Weekly Digest of Applications." However, in light of the Post Office Department's explanation of its procedure and criteria for selection of air taxi operators, we will deny the Conference's suggested expansion of the rule to include such information. The Conference's request for the imposition of reporting requirements is also before the Board in Docket 18366, and can best be dealt with in that docket.

notice of intent to use air taxi mail service.

(b) *Regular notice of intent to use air taxi mail service.* A notice filed under this subsection shall state the name of the air taxi operator who will engage in the carriage of mail if known; the location of the points between which mail is to be carried; and the reasons, together with supporting data, why the Post Office Department deems the proposed service required to meet the needs of the Postal System.

(c) *Expedited notice of intent to use air taxi mail service.* In addition to the information required by § 298.24(b), a notice filed under this subsection shall contain a factual representation that the Post Office Department has ascertained that no interested certificated route carrier objects to air taxi mail service between the subject pair of points. Such notice shall also identify each interested certificated route carrier with which the Post Office has discussed the proposed air taxi mail service. For purposes of this subsection, an interested certificated route carrier is defined as (1) an air carrier holding a certificate of public convenience and necessity pursuant to section 401(d) (1) or (2) of the Act which authorizes service between such pair of points and such authority has not been suspended; or (2) an air carrier holding a certificate of public convenience and necessity pursuant to section 401(d) (1) or (2) of the Act which has authority to serve between such pair of points by reason of an exemption authorization issued pursuant to section 416(b) of the Act.

(d) *Effective date of notice—protests and objections.* Subject to the provisions of paragraph (e) of this section, a regular notice of intent to use air taxi mail service filed under paragraph (b) of this section shall be effective to authorize the proposed service upon the expiration of 10 days after the filing of such notice, unless within such 10-day period (1) the Board shall issue an order suspending such notice or (2) any person shall file a written protest and objection setting forth grounds why such service would be contrary to the public interest. Subject to the provisions of paragraph (e) of this section, an expedited notice of intent to use air taxi mail service filed under paragraph (c) of this section shall be effective to authorize the proposed service upon the expiration of 5 days after the filing of such notice, unless within such 5-day period (1) the Board shall issue an order suspending such notice or (2) any person shall file a telegraphic or other written protest stating opposition to the proposed service. Within 10 days after the filing of a notice under paragraph (c) of this section, any person who filed a timely protest thereto shall also file a written objection setting forth grounds why such service would be contrary to the public interest. Within 7 days after an objection has been filed, the Post Office Department may file an answer thereto. Where a protest has been filed, a notice under paragraph (b) or (c) of this section shall not be effective unless and until the Board so orders.

(e) *Establishment of mail rate.* No notice filed under paragraph (b) or (c) of this section shall be effective until the Post Office Department and the affected air taxi operator have jointly filed with the Board a petition setting forth a mutually agreed-upon rate for the carriage of mail and requesting the Board to fix a final mail rate pursuant to section 406 of the Act. Where a notice filed pursuant to paragraph (b) or (c) of this section states that the Post Office Department has been authorized to petition for such rate by the affected air taxi operator, the Department may file the petition required herein either separately or as part of said notice. If the Board fails to fix a final mail rate by the date when such notice becomes effective, the mutually agreed-upon rate shall be the basis for temporary payment, subject to upward or downward adjustment upon the determination of a final mail rate which shall be retroactive to the date when service was inaugurated.

(f) *Service of documents.* A copy of each notice or answer filed by the Post Office Department with the Board under paragraph (b), (c), or (d) of this section shall be served upon the chief executive of each interested certificated route carrier, as that term is defined in paragraph (c) of this section. A copy of each protest and objection shall be served upon the Post Office official subscribing the notice and upon any air taxi operator named therein. Service of each notice filed under paragraph (c) of this section shall be made personally or by telegram. Service of each notice filed under paragraph (b) of this section shall be made personally, by airmail, or, if as expeditious as airmail, by first-class mail. Service of any answer or protest upon any person may be made by personal service, or by first-class or airmail. Each copy of a notice served pursuant to this subsection shall be accompanied by a letter of transmittal stating that such service is being made pursuant to this part.

(g) *Filing of documents.* An executed original and nine copies of each notice, answer or objection and protest shall be filed with the Docket Section of the Civil Aeronautics Board, Washington, D.C. 20428. Each such copy shall be accompanied by a statement that service has been made in accordance with the provisions of paragraph (f) of this section.

(h) *Other procedural provisions.* Except as otherwise specifically provided herein, the requirements of Part 302 of the Board's procedural regulations shall govern notices and other pleadings filed pursuant to this section.

(Secs. 204(a), 406, 416, Federal Aviation Act of 1958, as amended; 72 Stat. 743, 763, and 771; 49 U.S.C. 1324, 1376, 1386)

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 67-12250; Filed, Oct. 16, 1967; 8:48 a.m.]

Title 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

[Release No. 34-8177]

PART 240—GENERAL RULES AND REGULATIONS, SECURITIES EXCHANGE ACT OF 1934

Insider Trading

The Securities and Exchange Commission has amended Rule 16b-7 (17 CFR 240.16b-7), under the Securities Exchange Act of 1934. This rule exempts from the operation of section 16(b) of the Act certain acquisitions and dispositions of securities pursuant to mergers or consolidations. Section 16(b) provides, in general, that where any director, officer, or principal holder of a registered equity security has realized a profit from any purchase and sale (or sale and purchase) of any equity security of the company of which he is a director, officer, or principal stock holder within any period of less than 6 months, such profit shall inure to, and be recoverable by, the issuer. The Commission is authorized to exempt from the operation of the section any transaction not comprehended within it.

The amendments to the rule merely makes explicit the intended scope of the existing rule. Paragraph (c) of the rule provides that the exemption shall not be available to a person if he has made certain short-term purchases and sales other than those involved in the merger or consolidation. The amendments would provide that the exemption will not be defeated by short-term transactions which are exempted under any other rule adopted under section 16(b) of the Act. The amendments also provide that in the event of short-term transactions other than those which are exempted, the exemption provided by the rule will be unavailable only to the extent of such purchases and sales.

Commission action. Section 240.16b-7 of title 17, chapter II of the Code of Federal Regulations is amended to read as set forth below.

§ 240.16b-7 Exemption from section 16(b) of certain acquisitions and dispositions of securities pursuant to mergers or consolidations.

(a) The following transactions shall be exempt from the provisions of section 16 (b) as not comprehended within the purpose of said subsection:

(1) The acquisition of a security of a company, pursuant to a merger or consolidation, in exchange for a security of a company which, prior to said merger or consolidation, owned 85 percent or more of the equity securities of all other companies involved in the merger or consolidation except, in the case of consolidation, the resulting company;

(2) The disposition of a security, pursuant to a merger or consolidation of a

company which, prior to said merger or consolidation, owned 85 percent or more of the equity securities of all other companies involved in the merger or consolidation except, in the case of consolidations, the resulting company;

(3) The acquisition of a security of a company, pursuant to a merger or consolidation, in exchange for a security of a company which, prior to said merger or consolidation, held over 85 percent of the combined assets of all the companies undergoing merger or consolidation, computed according to their book values prior to the merger or consolidation as determined by reference to their most recent available financial statements for a 12-month period prior to the merger or consolidation.

(4) The disposition of a security, pursuant to a merger or consolidation, of a company which, prior to said merger or consolidation, held over 85 percent of the combined assets of all the companies undergoing merger or consolidation, computed according to their book values prior to the merger or consolidation, as determined by reference to their most recent available financial statements for a 12-month period prior to the merger or consolidation.

(b) A merger within the meaning of this rule shall include the sale or purchase of substantially all the assets of one company by another in exchange for stock which is then distributed to the security holders of the company which sold its assets.

(c) Notwithstanding the foregoing, if an officer, director or stockholder shall make any purchase (other than a purchase exempted by this rule or any other rule under section 16(b) of the Act) of a security in any company involved in the merger or consolidation and any security (other than a sale exempted by this rule or any other rule under section 16(b) of the Act) of a security in any other company involved in the merger or consolidation within any period of less than 6 months during which the merger or consolidation took place the exemption provided by this rule shall be unavailable to such officer, director, or stockholder to the extent of such purchase and sale.

(Sec. 16; 48 Stat. 896, as amended; 15 U.S.C. 78p)

Inasmuch as the foregoing amendments merely clarify the intended scope of the exemption provided by Rule 16b–7 and do not effect any substantial change therein the Commission finds that notice and procedure pursuant to the Administrative Procedure Act is not necessary. Since the amended rule provides an exemption from the provision of section 16(b) of the Act the Commission also finds that the amendments may be made effective immediately upon publication of the amended rule. Accordingly, the amended rule shall become effective October 10, 1967.

By the Commission, October 10, 1967.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 67-12220; Filed, Oct. 16, 1977; 8:46 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

PART 15—ADMINISTRATIVE OPINIONS AND RULINGS

Aggregating Purchases of Multi-Unit Organizations

§ 15.145 Aggregating purchases of multi-unit organizations.

(a) The Commission rendered an advisory opinion in which it concluded that it would not be permissible under section 2(a) of the amended Clayton Act to aggregate the purchases of three centrally owned retail grocery stores for the purpose of cost justifying a lower price to those stores.

(b) "The reason for this," the Commission said, "is that discounts to multiunit purchasers must be cost justified on a store-by-store basis where, as here, each store orders separately, receives separate delivery and is invoiced separately."

(c) Concluding its opinion, the Commission said: "Since independent and singly owned retail stores are served in identically the same manner, it would confer an advantage on the multiunit store, not by virtue of any savings in cost to the store but solely by reason of its membership in the centrally owned organization. Combining or aggregating purchases, therefore, for the purpose of determining costs of a multiunit organization is not related to the realities of the market since the independent or singly owned store competes with the individual stores of the chain organization."

(d) The particular facts in the advisory opinion involved three centrally owned retail grocery stores. Each store placed separate orders with the wholesaler, had its goods delivered separately and was invoiced separately. In addition, some singly owned stores bought in larger volume than the smallest store which belonged to the centrally owned organization.

(38 Stat. 717, as amended; 15 U.S.C. 41–58; 49 Stat. 1526; 15 U.S.C. 13, as amended)

Issued: October 16, 1967.

By direction of the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 67-12178; Filed, Oct. 16, 1967; 8:45 a.m.]

Title 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 120—TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

Dicamba

A petition (PP 7F0568) was filed by the Velsicol Chemical Corp., Chicago, Ill. 60611, proposing a tolerance of 1 part per million for the combined residues of the herbicide dicamba (3,6-dichloro-*o*-anisic acid) and its metabolite 3,6-dichloro-5-hydroxy-*o*-anisic acid in or on sorghum grain. Data in the petition show that a tolerance of 0.5 part per million is adequate for the combined residues of dicamba and its metabolite in or on sorghum grain and that a tolerance of 0.5 part per million is necessary for the residues in or on sorghum fodder and forage.

The Secretary of Agriculture has certified that this pesticide chemical is useful for the purposes for which the tolerance is being established.

Based on consideration given the data submitted in the petition, and other relevant material, the Commissioner of Food and Drugs concludes that the tolerance established by this order will protect the public health. Therefore, by virtue of the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(2), 68 Stat. 512; 21 U.S.C. 346a(d)(2)) and delegated by him to the Commissioner (21 CFR 2.120), Part 120 is amended by adding to Subpart C a new section as follows:

§ 120.227 Dicamba; tolerance for residues.

A tolerance of 0.5 part per million is established for the combined residues of the herbicide dicamba (3,6-dichloro-*o*-anisic acid) and its metabolite 3,6-dichloro-5-hydroxy-*o*-anisic acid in or on sorghum grain and sorghum fodder and forage.

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C. 20201, written objections thereto, preferably in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the

objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

Effective date. This order shall become effective on the date of its publication in the FEDERAL REGISTER.

(Sec. 403(d)(2), 68 Stat. 512; 21 U.S.C. 346a(d)(2))

Dated: October 6, 1967.

J. K. KIRK,
Associate Commissioner for Compliance.

[F.R. Doc. 67-12258; Filed, Oct. 16, 1967; 8:49 a.m.]

PART 121—FOOD ADDITIVES

Subpart F—Food Additives Resulting From Contact With Containers or Equipment and Food Additives Otherwise Affecting Food

POLYCARBONATE RESINS

The Commissioner of Food and Drugs, having evaluated the data in a petition (FAP 7B2161) filed by Monsanto Co., Post Office Box 1531, Springfield, Mass. 01101, and other relevant material, has concluded that the food additive regulations should be amended to provide for the use of monochlorobenzene as a solvent in the production of polycarbonate resins intended for food-contact use. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)) and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (21 CFR 2.120), § 121.2574(b) is amended by alphabetically inserting in the list of substances a new item, as follows:

§ 121.2574 Polycarbonate resins.

* * * * * *

(b) * * *

List of substances:	*Limitations*
* * *	* * *
Monochlorobenzene --	Not to exceed 500 p.p.m. as residual solvent in finished resin.
* * *	* * *

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C. 20201, written objections thereto, preferably in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

Effective date. This order shall become effective on the date of its publication in the FEDERAL REGISTER.

(Sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1))

Dated: October 6, 1967.

J. K. KIRK,
Associate Commissioner for Compliance.

[F.R. Doc. 67-12259; Filed, Oct. 16, 1967; 8:49 a.m.]

Title 29—LABOR

Chapter V—Wage and Hour Division, Department of Labor

PART 512—REVIEW COMMITTEES FOR PUERTO RICO AND THE VIRGIN ISLANDS

On August 23, 1967, notice of a proposed revision of 29 CFR Part 512 was published in the FEDERAL REGISTER (32 F.R. 12117). After considering all material submitted in response, the proposed revision is hereby adopted.

Effective date. This revision will be effective December 3, 1967.

Signed at Washington, D.C., this 11th day of October 1967.

CLARENCE T. LUNDQUIST,
Administrator, Wage and Hour and Public Contracts Divisions, United States Department of Labor.

Sec.

AUTHORITY: The provisions of this Part 512 issued under sec. 6, 52 Stat. 1062, as amended; 29 U.S.C. 206; 5 U.S.C. 301.

§ 512.1 Scope and application.

Section 6(c)(2)(B) of the Fair Labor Standards Act of 1938, as amended, requires, with respect to employees in Puerto Rico and the Virgin Islands, that, effective April 2, 1968, the rate or rates applicable to them under the latest industry wage order issued prior to February 1, 1967, be increased by 28 per centum, unless such rate or rates are superseded by a rate or rates prescribed in a wage order issued pursuant to the recommendations of a review committee appointed under section 6(c)(2)(C). The regulations in this part provide the procedure for applications for the appointment of such review committees, as well as the procedure to be observed by such committees in the conduct of investigations and hearings and in formulating their recommendations, and the procedure for the promulgation of wage orders giving effect to their recommendations.

§ 512.2 Statutory requirements prerequisite for appointment of review committees.

Under the terms of the governing statute, authority to appoint a review committee for the purpose provided in § 512.1, arises only where application is made to the Secretary of Labor in writing, by any employer or group of employers employing a majority of the employees in an industry in Puerto Rico or the Virgin Islands, for the appointment of a review committee to recommend the minimum rate or rates to be paid such employees in lieu of the rate or rates resulting from the percentage increase described in § 512.1. Such application shall be filed neither earlier than December 3, 1967 nor later than February 1, 1968. Appointment of a review committee pursuant to such application is authorized only if the Secretary of Labor has reasonable cause to believe, on the basis of financial and other information contained in the application, that compliance with the increase of 28 per centum referred to in § 512.1 will substantially curtail employment in such industry. The governing statute provides that the Secretary's decision on such application shall be final.

§ 512.3 Industry.

Only one application for each industry shall be received. The definition of each industry shall conform to one of the definitions under the first section entitled "Definition," in Parts 601 to 699, both inclusive, and Part 720 of this chapter, excluding, however, Parts 694, 695, and 697 of this chapter. In the case of industries in the Virgin Islands, the definition of an industry shall conform to one of the lettered paragraphs of § 694.1 of this chapter. Every employer who joins a group of employers in filing an application must sign it. Signers on behalf of business organizations should be the employer's chief executive officer in charge of all its operations in the industry in Puerto Rico or the Virgin Islands, as the case may be, or an officer with supervisory authority over such chief executive. Each such application should be complete in one document. Where, however, substantial reason compels a particular employer to join a group of employers in filing an application by a separate document and if it meets the requirements provided in §§ 512.3 to 512.9, it will be received, considered, together with the presentation of the other employers in the group, and

the employer will be accorded status as an applicant under § 512.13.

To be changed to read as follows:

§ 512.4 Confidentiality.

Each application and the financial and other information contained therein shall, if the application is granted, become a matter of public record at the time the application is granted. Such documents will, upon appointment of the review committee, be referred to it in accordance with section 5(d) of the Fair Labor Standards Act. Prior to the granting of any such application, and both prior to and after the denial of any such application, access to such documents will be restricted, and the contents thereof will be revealed only to the Secretary and officers and employees of the Department of Labor whose duties require the examination of such application.

§ 512.5 Identification and filing date.

Each application shall separately state for each employer participating in it, his name and address (in Puerto Rico or the Virgin Islands as the case may be), the products produced and services rendered by the employees to whom the application relates, and the applicable wage order and any classification or classifications applicable to such employees, all as defined in Parts 601 through 699, both inclusive, and Part 720 of this chapter. The application shall be filed during the period prescribed by § 512.2. No clarification, supplemental, or additional data filed outside the period prescribed by § 512.2 may be considered. If the application is sent by airmail between Puerto Rico or the Virgin Islands and the mainland, such filing shall be deemed timely if postmarked within the period prescribed by § 512.2. The original and two copies of the application shall be filed at the Office of the Administrator of the Wage and Hour Division, U.S. Department of Labor, Washington, D.C. 20210, and one copy shall be filed at the Office of the Regional Director of the Wage and Hour Division, U.S. Department of Labor, Seventh Floor, Condominio San Alberto Building, 1200 Ponce de Leon Avenue, Santurce, P.R. 00908.

§ 512.6 Majority of employees in the industry.

In order to provide the information necessary to determine whether the employer or employers applying for appointment of a review committee employ a majority of the employees in the industry, the application shall show the number of employees subject to the wage order for such industry who are employed by each such employer for the payroll week which includes November 12, 1967. In addition to this information, such information on employment during another specific payroll week may be submitted if the application shows that employers employing a majority of the employees in the industry and participating in the application agree upon such week as the most recent payroll week considered to be normal, and if the application presents facts which establish that employment during such other week is, because of factors such as seasonality or temporary abnormal conditions, more representative than the employment during the week which includes November 12, 1967. The name and address of each employing establishment in the industry which has not joined in the application shall also be stated, together with the estimated number of employees employed by it in the workweek which includes November 12, 1967, and such other week as may be selected for counting employees of employers joining in the application. Employers filing information on employment in establishments operated by other employers in their industry who have not joined in the application shall supply the best information they are able to discover on this question and identify its source.

§ 512.7 Information to be submitted.

The application shall set forth separately for each employer participating in such application the financial and other information with respect to his operations which he relies upon to establish reasonable cause for believing that compliance with the minimum wage rate or rates resulting from the percentage increase referred to in § 512.1 will substantially curtail employment in the industry. If such information is not set forth in such pertinent detail as will permit the Secretary to conclude that there is reasonable cause to believe that such curtailment of employment will result, he is not authorized to appoint a review committee. It is therefore recommended that each application contain information in at least the detail required by Part 511 of this chapter as a prerequisite to becoming a party to a proceeding before a special industry committee.

§ 512.8 Financial information.

With respect to financial information, each application shall provide pertinent unabridged profit and loss statements and balance sheets for a representative period of years (not less than three) covering the operations of each employer in the industry joining in such application, and include the most recent year or fraction thereof for which such data are available. Such financial statements (except those relating to the most recent fiscal period that are for less than a full fiscal year and those that are for a year ending less than 90 days prior to the filing of the application) shall be certified by an independent certified public accountant, or verified by the employer to whom they relate as conforming to, and being consistent with, the corresponding income tax returns covering the same years, so that the application presents all the detail in such returns that is pertinent to the question of whether the 28 per centum increase referred to in § 512.1 will substantially curtail employment in the industry.

§ 512.9 Payroll and employment data.

Each applicant shall present separately for each participating employer payroll data for the week or weeks identified in § 512.6 showing the following information for all employees employed by him in the industry in classifications subject to the 28 per centum increase referred to in § 512.1: (a) For employees other than learners and apprentices working under special minimum wage certificates and homeworkers—(1) the number of employees paid minimum wages and (2) the number of employees in each interval of straight-time earnings (the intervals should be 2½ cents and the lowest interval should begin with and include the lowest appropriate multiple of 5 cents); (b) for learners and apprentices—the number of employees in each straight-time interval of earnings; and (c) for homeworkers—(1) the number of homeworkers and (2) the total amount of wages paid to homeworkers. In addition to the foregoing, there shall be submitted for each participating employer for every worker employed by him, on one of the copies to be filed with the Administrator pursuant to § 512.5, the following: The wage rate at which the worker is employed, his hours worked in the workweek, his total earnings, and his straight-time hourly earnings as computed from the weekly straight-time earnings and hours of work. In reporting payroll data on homeworkers, only the number of homeworkers and the total amount paid to each need be shown. Those employees who are learners or apprentices working under special certificates shall be identified as such in the data. In addition to the foregoing payroll data, there should be stated for each participating employer the number of employees other than learners and apprentices and homeworkers, the number of learners and apprentices, and the number of homeworkers employed by him in the workweeks which included the following dates: August 12, 1965, November 12, 1965, February 12, 1966, May 12, 1966, August 12, 1966, November 12, 1966, February 12, 1967, May 12, 1967, August 12, 1967 and November 12, 1967.

§ 512.10 Other information.

Other information which the participants in the application deem necessary or appropriate for consideration on the question of whether the 28 per centum wage increase referred to in § 512.1 will substantially curtail employment in the industry shall be supplied in the application. Among the types of data which may be considered pertinent, are those revealing (a) employment and labor conditions and trends in Puerto Rico or the Virgin Islands, as the case may be, and on the mainland, particularly after the effective date of the most recent applicable wage order, including such items as present and past employment, present wage rates, perquisites, and fringe benefits, changes in average hourly earnings or wage structure, provisions of collective bargaining agreements, hours of work, labor turnover, absenteeism, productivity, learning periods, rejection rates and similar factors; (b) market conditions and trends in Puerto Rico or the Virgin Islands, as the case may be and on the mainland, including changes in the volume and value of production,

market outlets, price changes, style factors, consumer demand, and similar marketing factors; (c) comparative production costs in Puerto Rico or the Virgin Islands, as the case may be, with such costs on mainland and in foreign countries, together with the conditions responsible for the differences.

§ 512.11 Action on application.

Each application under this part will be considered promptly after receipt, and decisions thereon will be promptly communicated to employers participating in the application. On approval of any such application, an order of appointment of a review committee for the industry to which it relates will be published in the FEDERAL REGISTER. Approval of an application shall not, in proceedings before a review committee, be considered as evidence that any specific rate or rates which may be applicable or may be made applicable under any provision of the Act to employees in the industry concerned will or will not cause substantial curtailment of employment therein.

§ 512.12 Review committee procedure.

The provisions of sections 5 and 8 of the Fair Labor Standards Act of 1938 relating to special industry committees are applicable to review committees appointed pursuant to this part. Part 511 of this chapter, entitled "Wage Order Procedure for Puerto Rico, the Virgin Islands, and American Samoa" shall govern the procedure of review committees and the general method for issuance of wage orders pursuant to their recommendations, except insofar as Part 511 of this chapter may be inconsistent with this part or the Fair Labor Standards Amendments of 1966 (Public Law 89-601).

§ 512.13 Effective date of the 28 per centum increase or the review committee wage order.

Except as provided in § 512.14, the 28 per centum increase in minimum wage rates or the superseding minimum rate or rates prescribed in a wage order issued pursuant to the recommendations of a review committee, as referred to in § 512.1, shall become effective April 2, 1968, and shall remain in effect only for so long as and insofar as such minimum wage rate or rates have not been superseded by a wage order fixing a higher minimum wage rate or rates (but not in excess of $1.60 an hour) hereafter issued by the Secretary of Labor pursuant to the recommendations of a special industry committee. However, no special industry committee shall hold any hearing within 1 year after a minimum wage rate or rates for an industry have been recommended to the Secretary by a review committee to be paid in lieu of the rates increased by 28 percent, as referred to in § 512.1.

§ 512.14 Surety undertaking.

(a) *Eligibility for relief.* In the event a review committee has been appointed as provided in § 512.11 and its deliberations have not resulted in a wage order effective on or before the effective date referred to in § 512.13, the 28 per centum increase shall go into effect on the effective date prescribed in that section, except with respect to the employees of an employer who filed a timely application under § 512.5 to the extent that he qualifies for relief under paragraph (b) of this section.

(b) *Conditions of relief.* Each employer eligible for relief as provided in paragraph (a) of this section is hereby relieved, subject to the following conditions, from the obligation to pay the 28 per centum wage increase referred to in § 512.1 until the effective date of the wage order for his industry recommended by the review committee appointed under § 512.11. Such relief shall begin when, and continue as long as, the following conditions are complied with:

(1) He shall file with the Secretary of Labor a bond enforceable by the Secretary of Labor in the district court of the United States for the District of Columbia or for the district of Puerto Rico by service of process on a public officer in the District of Columbia or in Puerto Rico who is, by irrevocable appointment in the undertaking, authorized to receive service of process on the employer's behalf in any judicial proceeding to enforce the bond. The condition of the bond shall be such that liability for the amount of the undertaking may be avoided only if there is payment to each of his employees of an amount equal to the difference between the wages they actually receive and the wages provided in the wage order made on recommendation of the review committee.

(2) The liability in such a bond shall be fully joined by a corporate surety identified currently by the Secretary of the Treasury under sections 6 through 13 of Title 6 of the United States Code as an acceptable surety on Federal bonds who is licensed to transact a surety business and has a process agent, both in the District of Columbia and in Puerto Rico.

(3) The employer shall file with the Secretary of Labor a weekly report showing the cumulative difference between the total amount of wages he has paid to his employees through the end of the preceding workweek and the total wages his employees will be entitled to receive if the review committee recommends an increase of 28 per centum.

(4) The relief shall not be effective for any period after the cumulative difference reported under subparagraph (3) of this paragraph exceeds 75 per centum of the amount of the undertaking, nor after the Secretary of Labor advises the employer that in his opinion the amount of the undertaking is inadequate to give satisfactory assurance that the employees whose wages are affected by the relief will ultimately receive the total compensation for their work to which they will be entitled.

(5) The condition of the bond shall also require that sums due employees who cannot be located within 3 years after the effective date of the wage order recommended by the review committee shall be payable to the Secretary of Labor to be covered into the Treasury of the United States as miscellaneous receipts.

§ 512.15 Information previously submitted.

Where financial information required to be included in a petition has previously been submitted to the Wage and Hour and Public Contracts Divisions in the form required by § 512.8, the petitioner may request that it be permitted to exclude such information, setting forth the date and circumstances of such prior submission. Such request, however, must be made and granted before a petition omitting the required information may be filed, and will not authorize a petition subsequent to February 1, 1968.

[F.R. Doc. 67-12212; Filed, Oct. 16, 1967; 8:46 a.m.]

PART 526—INDUSTRIES OF A SEASONAL NATURE AND INDUSTRIES WITH MARKED SEASONAL PEAKS OF OPERATION

Compressing of Cotton

On July 28, 1967, a notice was published in the FEDERAL REGISTER (32 F.R. 11043) proposing to amend the seasonal industry determination for the storing of cotton (32 F.R. 5775 incorporating by reference 5 F.R. 3772) to include the compressing of cotton in cotton storing establishments. Interested persons were given 30 days in which to present written data, views, or argument on the question whether the industry as proposed to be redefined, is of a seasonal nature within the meaning of 29 CFR 526.2(a).

After consideration of the responses and pursuant to section 7(c) of the Fair Labor Standards Act of 1938, 29 U.S.C. 207(c), Reorganization Plan No. 6 of 1950 (3 CFR 1949-53 Comp., p. 1004), Secretary's Order 19-67 (32 F.R. 12980), and the procedures set forth in 29 CFR Part 526 (32 F.R. 5775), the industry, as redefined, is found to be of a seasonal nature. For the purpose of this finding, the cotton storing industry is defined to include the receiving, handling, and storing of raw cotton and the compressing of raw cotton when performed at a cotton warehouse or compress-warehouse facility other than one operated in conjunction with a cotton mill. Also included are any operations incident to the foregoing such as loading, unloading, weighing, sampling, assembling, and preparing for shipment when performed at the storing establishment.

Accordingly, 29 CFR 526.10 is amended by deleting reference to the "cotton storing industry" and substituting in lieu thereof the "cotton storing and compressing industry" with the date of this document shown under the "Date of Finding", and the volume and the page of the FEDERAL REGISTER in which this document appears under the heading "Citation". As this amendment merely enlarges an exemption, no delay in its effective date is required by 5 U.S.C. 553 (d). As no such delay would serve a use-

ful purpose, this amendment is effective immediately.

Signed at Washington, D.C., this 10th day of October 1967.

CLARENCE T. LUNDQUIST,
Administrator, Wage and Hour and Public Contracts Divisions, U.S. Department of Labor.

[F.R. Doc. 67-12213; Filed, Oct. 16, 1967; 8:46 a.m.]

PART 779—THE FAIR LABOR STANDARDS ACT AS APPLIED TO RETAILERS OF GOODS OR SERVICES

Establishments Lacking "Retail Concept"; Truck Stops, Ambulance Service Companies, and Establishments Servicing Common and Contract Carriers

Pursuant to the Fair Labor Standards Act of 1938 (29 U.S.C. 201 et seq.), Reorganization Plan No. 6 of 1950 (3 CFR 1949–53 Comp., p. 1004), and Secretary's Order No. 16–67 dated July 21, 1967, I hereby amend 29 CFR Part 779 as set out below.

The procedural and effective date requirements of section 4 of the Administrative Procedure Act (5 U.S.C. 553) do not apply as this amendment is concerned solely with interpretative rules. I do not believe such procedure and delay will serve a useful purpose here. Accordingly, this amendment shall become effective upon publication in the FEDERAL REGISTER.

1. Section 779.317 is amended to read as follows:

§ 779.317 Partial list of establishments lacking "retail concept."

There are types of establishments in industries where it is not readily apparent whether a retail concept exists and whether or not the exemption can apply. It, therefore, is not possible to give a complete list of the types of establishments that have no retail concept. It is possible, however, to give a partial list of establishments to which the retail concept does not apply. This list is as follows:

Accounting firms.
Adjustment and credit bureaus and collection agencies (Mitchell v. Rogers dba Commercial Credit Bureau, 138 F. Supp. 214 (D. Hawaii); Mill v. United States Credit Bureau, 1 W.H. Cases 878, 5 Labor Cases par. 60,992 (S.D. Calif.)).
Advertising agencies including billboard advertising.
Aircraft and aeronautical equipment; establishments engaged in the business of dealing in.
Airports.
Ambulance service companies.
Armored car companies.
Art; commercial art firms.
Auto-wreckers' and junk dealers' establishments (Bracy v. Luray, 138 F. 2d 8 (C.A.–4)).
Automatic vending machinery; establishments engaged in the business of dealing in.
Banks (both commercial and savings).
Barber and beauty parlor equipment; establishments engaged in the business of dealing in.
Blacksmiths; industrial.
Blue printing and photostating establishments.
Booking agencies for actors and concert artists.
Bottling and bottling equipment and canning machinery; establishments engaged in the business of dealing in.
Brokers, custom house; freight brokers; insurance brokers, stock or commodity brokers.
Building and loan associations.
Building contractors.
Burglar alarms; establishments engaged in furnishing, installing and repairing for commercial establishments (Walling v. Thompson, 65 F. Supp. 686 (S.D. Calif.)).
Burial associations.
Butchers' equipment; establishments engaged in the business of dealing in.
Chambers of Commerce.
Chemical equipment; establishments engaged in the business of dealing in.
Common and contract carriers; establishments engaged in providing services, fuel, equipment, or other goods or facilities for the operation of such carriers (Idaho Sheet Metal Works v. Wirtz, 383 U.S. 190, rehearing denied 383 U.S. 963; Wirtz v. Steepleton General Tire Co., Inc., 383 U.S. 190, rehearing denied 383 U.S. 963).
Contract Post Offices.
Credit companies, including small loan and personal loan companies (Mitchell v. Kentucky Finance Co., 359 U.S. 290).
Credit rating agencies.
Dentists supply and equipment establishments.
Detective agencies.
Drydock companies.
Dye houses, commercial (Walling v. Kerr, 47 F. Supp. 852 (E.D. Pa.)).
Duplicating, addressing, mailing, mail listings and letter stuffing establishments (Goldberg v. Roberts dba Typing and Mailing Unlimited, 15 W.H. cases 100, 42 L.C. par. 31,126 (CA–9); Durkin v. Shone, 112 F. Supp. 375 (E.D. Tenn.); Hanzley v. Hooven Letters, 44 N.Y.S. 2d 398 (City Ct. N.Y. 1943)).
Electric and gas utilities (Meeker Cooperative Light & Power Assn. v. Phillips, 158 F. 2d 698 CA–8); New Mexico Public Service Co. v. Engel, 145 F. 2d 636 (CA–10); Boron v. Minngas Co., 51 F. Supp. 363 (D. Minn.)).
Electric signs; establishments engaged in making, installing and servicing.
Elevators; establishments engaged in repairing (Cf. Muldowney v. Seaberg Elevator Co., 39 F. Supp. 275 (E.D. N.Y.)).
Employment Agencies (Yunker v. Abbye Employment Agency, Inc., 32 N.Y.S. 2d 715 (N.Y.C. Munic. Ct. 1942)).
Engineering firms.
Factors.
Filling station equipment; establishments engaged in the business of dealing in.
Geological surveys; firms engaged in making.
Hospital equipment (such as operating instruments, X-ray machines, operating tables, etc.); establishments engaged in the business of dealing in.
Insurance; mutual, stock and fraternal benefit, including insurance brokers, agents, and claims adjustment offices.
Investment counseling firms.
Jewelers' equipment; establishments engaged in the business of dealing in.
Job efficiency checking and rating; establishments engaged in the business of supplying.
Labor unions.
Laboratory equipment; establishments engaged in the business of dealing in.
Laundry; establishments engaged in the business of dealing in commercial laundry equipment.
Lawyers' offices.
Legal concerns engaged in compiling and distributing information regarding legal developments.
License and legal document service firms.
Loft buildings or office buildings; concerns engaged in renting and maintenance of (Kirschbaum v. Walling, 316 U.S. 517; Statement of Senator Holland, 95 Cong. Rec., p. 12505).
Machinery and equipment, including tools—establishments engaged in selling or servicing of construction, mining, manufacturing, and industrial machinery, equipment and tools (Roland Electric Co. v. Walling, 326 U.S. 657; Guess v. Montaque, 140 F. 2d 500 (CA–4); cf. Walling v. Thompson, 65 F. Supp. 686 (S.D. Calif.)).
Medical and dental laboratories.
Medical and dental laboratory supplies; establishments engaged in the business of dealing in.
Messenger; firms engaged in furnishing commercial messenger service (Walling v. Allied Messenger Service, 47 F. Supp. 773 (S.D. N.Y.)).
Oil-well drilling; companies engaged in contract oil-well drilling.
Oil-well surveying firms (Straughn v. Schlumberger Well Surveying Corp., 72 F. Supp. 511 (S.D. Tex.)).
Packing companies engaged in slaughtering livestock (Walling v. Peoples Packing Co., 132 F. 2d 236 (CA–10)).
Pharmacists' supplies; establishments engaged in the business of dealing in.
Plumbers' equipment; establishments engaged in the business of dealing in.
Press clipping bureaus.
Printers' and lithographers' supplies; establishments engaged in the business of dealing in.
Printing and binding establishments (Casa Baldrich, Inc. v. Mitchell, 214 F. 2d 703 (CA–1)).
Protection and Shopping services for industry; establishments engaged in supplying (Durkin v. Joyce Agency, Inc., 110 F. Supp. 918 (N.D. Ill.) affirmed sub nom. Mitchell v. Joyce Agency, Inc., 348 U.S. 945)
Quarries (Walling v. Partee, 3 W.H. Cases 543, 7 Labor Cases, par. 61, 721 (M.D. Tenn.)).
Radio and Television broadcasting stations and studios.
Real estate companies.
Security dealers.
Ship equipment, commercial; establishments engaged in the business of dealing in.
Sign-painting shops.
Stamp and coupon redemption stores.
Statistical reporting, business and financial data; establishments engaged in furnishing.
Store equipment; establishments engaged in the business of dealing in.
Telegraph companies.
Telephone companies; (Schmidt v. Peoples Telephone Union of Maryville, Mo., 138 P. 2d 13 (CA–8)).
Telephone answer service; establishments engaged in furnishing. (Telephone Answering Service v. Goldberg, 15 W.H. Cases 67, 4 L.C. Par. 31.104 (CA–1)).
Title and abstract companies.
Tobacco auction warehouses (Fleming v. Kenton Loose Leaf Tobacco Warehouse Co., 41 F. Supp. 255 (E.D. Ky.); Walling v. Lincoln Loose Leaf Warehouse Co., 59 F. Supp. 601 (E.D. Tenn.)).

Toll bridge companies.
Trade associations.
Transportation equipment, commercial; establishments engaged in the business of dealing in.
Travel agencies.
Truck stop establishments (Idaho Sheet Metal Works, Inc. v. Wirtz, 383 U.S. 190, rehearing denied 383 U.S. 963; Wirtz v. Steepleton General Tire Co., Inc., 383 U.S. 190, rehearing denied 383 U.S. 963).
Trust companies.
Undertakers' supplies; establishments engaged in the business of dealing in.
Warehouse companies; commercial or industrial (Walling v. Public Quick Freezing and Cold Storage Co., 62 F. Supp. 924 (S.D. Fla.)).
Warehouse equipment and supplies; establishments engaged in the business of dealing in.
Watchmen, guards and detectives for industries; establishments engaged in supplying (Walling v. Sondock, 132 F. 2d 77 (CA-5); Walling v. Wattam, 3 W.H. Cases 726, 8 Labor Cases, par. 62,023 (W.D. Tenn. 1943); Walling v. Lum, 4 W.H. Cases 465, 8 Labor Cases, par. 62,185 (S.D. Miss., 1944); Walling v. New Orleans Private Patrol Service, 57 F. Supp. 143 (E.D. La., 1944); Haley v. Central Watch Service, 4 W.H. Cases 158, 8 Labor Cases, par. 62,002 (N.D. Ill., 1944)).
Water supply companies (Reynolds v. Salt River Valley Water Users Assn., 143 F. 2d (863 (CA-9)).
Window displays; establishments engaged in the business of dealing in.

2. Paragraph (b) of § 779.397 is amended by adding thereto a new subparagraph (6) to read as follows:

§ 779.397 Sales of automobiles, trucks, and farm implements which are recognized as retail.

* * * * *

(b) * * *

(6) Sales of services, fuel, equipment, or other goods or facilities to the trucking industry by establishments commonly referred to as truck stops. Truck stops which provide services exclusively, or nearly so, to the trucking industry are an integral part of the interstate transportation industry and are not within the traditional retail concept. Sales of diesel fuel (and LP gas) for use as truck or bus fuel and the repair and servicing of trucks and buses used in over-the-road commercial transportation (including parts and accessories for such vehicles) are specialized goods and services "which can never to sold at retail * * * whatever the terms of the sale." (Idaho Sheet Metal Works, Inc. v. Wirtz, 383 U.S. 190, 202, rehearing denied 383 U.S. 963; Wirtz v. Steepleton General Tire Company, Inc., 383 U.S. 190, 202, rehearing denied 383 U.S. 963).

(29 U.S.C. 213(a)(2))

Signed at Washington, D.C., this 10th day of October 1967.

CLARENCE T. LUNDQUIST,
Administrator, Wage and Hour and Public Contracts Divisions, United States Department of Labor.

[F.R. Doc. 67-12214; Filed, Oct. 16, 1967; 8:46 a.m.]

Title 50—WILDLIFE AND FISHERIES

Chapter I—Bureau of Sport Fisheries and Wildlife, Fish and Wildlife Service, Department of the Interior

PART 32—HUNTING

Ridgefield National Wildlife Refuge, Wash.

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER. The limited time ensuing from the date of adoption of the Federal migratory game bird regulations to and including the establishment of State hunting seasons makes it impracticable to give public notice of proposed rule making.

§ 32.12 Special regulations; migratory game birds; for individual wildlife refuge areas.

WASHINGTON

RIDGEFIELD NATIONAL WILDLIFE REFUGE

The public hunting of ducks, geese, coots, and gallinules on the Ridgefield National Wildlife Refuge, Wash., is permitted from October 14, 1967, through January 7, 1968, inclusive, and the hunting of common snipe is permitted from October 14, through December 2, 1967, inclusive, but only on the area designated by signs as open to hunting. This open area, comprising 876 acres, is delineated on maps available at refuge headquarters, Ridgefield, Wash., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, 730 Northeast Pacific Street, Portland, Oreg. 97208. Hunting shall be in accordance with all applicable State and Federal regulations subject to the following special conditions:

(1) Hunting will be restricted to Sundays, Wednesdays, and Saturdays, and November 23, 1967, and January 1, 1968. Shooting hours will be from opening shooting time each day until 4 p.m. Hunters must be out of the hunting area by 5 p.m.

(2) A Federal permit is required to enter the public hunting area. Permits will be issued on a reservation basis. Applications for advance reservations will be accepted by mail only, and must be received in the refuge office at least 3 days prior to the date applied for. Hunters may hold only one reservation at any one time.

(3) Hunters must shoot only from blinds. Blind assignments will be drawn at the check-in station.

(4) Dogs may be used for retrieving.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through January 7, 1968.

CLAY E. CRAWFORD,
Acting Regional Director, Portland, Oreg.

SEPTEMBER 26, 1967.

[F.R. Doc. 67-12211; Filed, Oct. 16, 1967; 8:45 a.m.]

Title 32—NATIONAL DEFENSE

Chapter XVI—Selective Service System

[Amdt. 108]

PART 1606—GENERAL ADMINISTRATION

Furnishing Information Under Administrative Procedure Act

The following new §§1606.55 through 1606.61 of the Selective Service Regulations are hereby prescribed to read as follows:

§ 1606.55 Information to be made available.

Section 3(a)(3) of the Administrative Procedure Act, as amended by Public Law 90-23, provides in part that each Federal Government agency, on request for identifiable records made in accordance with published rules stating the time, place, fees to the extent authorized by statute, and procedures to be followed, shall make the records available to any person.

§ 1606.56 General policy.

(a) It is the general policy of the Selective Service System to make information available to the public unless the disclosure thereof would constitute a clearly unwarranted invasion of personal privacy or is prohibited under law or Executive order or relates to internal memoranda, letters or manuals the disclosure of which would interfere with the functions of the Selective Service System. The Director of Selective Service reserves the right to make exceptions to the general policy in a particular instance giving due weight to the right of the public to know and the interests of the individual or individuals involved.

(b) Memoranda, correspondence, opinions, data, staff studies, information received in confidence, and similar documentary material prepared for the purpose of internal communication within the Selective Service System or between the Selective Service System and other organizations or persons generally are not information available to the public.

§ 1606.57 Service charges for information.

(a) The Selective Service System furnishes the public free of charge reasonable quantities of information that has been printed or otherwise reproduced for that purpose.

(b) The Selective Service System furnishes to a member of the public information that is readily available and can be furnished either without cost or at nominal cost to the System.

(c) Copies of the Military Selective Service Act of 1967, the Selective Service Regulations, and Local Board Memoranda are offered for sale and may be purchased from the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

(d) Current Operations Bulletins, which are temporary in nature, may be inspected at the office of any local board, the office of the State Director of Selective Service for any State, or at the Office of Public Information, National Headquarters, Selective Service System.

(e) Each local board maintains a Classification Record (SSS Form 102), which contains the name, selective service number, and the current and past classifications for each person registered with that board. This record is open to inspection by the public.

§ 1606.53 Places where information may be obtained.

(a) The information contained in a registrant's selective service file is confidential, and may be revealed only upon strict compliance with the provisions of § 1606.32 of this part. Requests for information concerning a registrant shall be addressed to the local board where he is registered.

(b) Information concerning records obtained under the Selective Training and Service Act of 1940, Public Law 26, 80th Congress, establishing the Office of Selective Service Records, and those records acquired under the Military Selective Service Act of 1967, which are in Federal record depots of the several State Headquarters of Selective Service, is governed by the provisions of Part 1670—Records Administration in Federal Record Depots, of these regulations. Such information is confidential, and will be furnished by the State Director of Selective Service for the State where such records are kept when the person requesting the information shows to the satisfaction of the State Director that he is qualified to receive such information under the provisions of § 1670.8 of Part 1670.

(c) Records contained in the standby-reserve folder of a member of the Standby Reserve of the Armed Forces are confidential, and may be revealed to a person requesting information therefrom only when such person shows to the satisfaction of the Executive Secretary or clerk of the local board that he is qualified to receive such information under the provisions of § 1690.22 of Part 1690—Determination of Availability of Members of the Standby Reserve of the Armed Forces for Order to Active Duty.

(d) Requests for information concerning the administration of the Military Selective Service Act of 1967 within a particular State shall be addressed to the State Director of Selective Service for the State involved.

(e) Requests for information concerning the national administration of the Military Selective Service Act of 1967 shall be addressed to the Office of Public Information, National Headquarters, Selective Service System, 1724 F Street NW., Washington, D.C. 20435.

(f) Addresses of the offices of the State Directors of Selective Service are as follows:

State	*Address*
Alabama	Room 818, Aronov Building, 474 South Court Street, Montgomery, Ala. 36104.
Alaska	Post Office Box 1008, Juneau, Alaska 99801.
Arizona	1014 North Second Street, Phoenix, Ariz. 85004.
Arkansas	Federal Office Building, Little Rock, Ark. 72201.
California	Federal Building, 605 I Street, Sacramento, Calif. 95814.
Canal Zone	Post Office Box No. 2014, Balboa Heights, Canal Zone (200–A Administration Building).
Colorado	Railway Exchange Building, Room 303, 909 17th Street, Denver, Colo. 80204.
Connecticut	Post Office Box No. 1558, Hartford, Conn. 06101.
Delaware	Prices Corner, 3202 Kirkwood Highway, Wilmington, Del. 19803.
District of Columbia	916 G Street NW., Washington, D.C. 20001.
Florida	19 McMillan Street, Post Office Box No. 1983, St. Augustine, Fla. 32084.
Georgia	901 West Peachtree Street NE., Atlanta, Ga. 30309.
Guam	Post Office Box No. 3036, Agana, Guam 96910 (RiCalvo Building, Second Floor).
Hawaii	Post Office Box No. 4006, Honolulu, Hawaii 96812 (Hawaiian Life Building, Fifth Floor, 1311 Kapiolani Boulevard, Honolulu, Hawaii 96813).
Idaho	Post Office Box 800, Boise, Idaho 83701 (Avenue H and Reserve Street).
Illinois	405 East Washington Street, Springfield, Ill. 62701.
Indiana	Century Building, 36 South Pennsylvania Street, Indianapolis, Ind. 46209.
Iowa	Building 68, Fort Des Moines, Des Moines, Iowa 50315.
Kansas	Masonic Temple Building, 10th and Van Buren Streets, Topeka, Kans. 66612.
Kentucky	220 Steele Street, Frankfort, Ky. 40601.
Louisiana	TB Building 309, Jackson Barracks, New Orleans, La. 70140.
Maine	Federal Building, 40 Western Avenue, Augusta, Maine 04330.
Maryland	Federal Building, Charles Center, 31 Hopkins Plaza, Room 1119, Baltimore, Md. 21201.
Massachusetts	John Fitzgerald Kennedy Federal Building, Government Center, Boston, Mass. 02203.
Michigan	Post Office Box 626, Lansing, Mich. 48903 (Arnold Building, 1120 East May Street, Lansing, Mich.).
Minnesota	100 East 10th Street, St. Paul, Minn. 55101.
Mississippi	Post Office Building, Jackson, Miss. 39201.
Missouri	411 Madison Street, Jefferson City, Mo. 65101.
Montana	Post Office Box No. 1183, Helena, Mont. 59601 (616 Helena Avenue, Helena, Mont.).
Nebraska	10th Floor, Terminal Building, 941 O Street, Lincoln, Nebr. 68503.
Nevada	Post Office Box No. 644, 301 West Washington Street, Carson City, Nev. 89701.
New Hampshire	Federal Building and U.S. Post Office, 55 Pleasant Street, Room 337, Post Office Box 427, Concord, N.H. 03301.
New Jersey	U.S. Post Office and Courthouse, 402 East State Street, Trenton, N.J. 08608.
New Mexico	Post Office Box 5175, Santa Fe, N. Mex. 87501 (The New Mexico National Guard Complex, 2600 Cerillos Road).
New York State	Federal Building, 441 Broadway, Albany, N.Y. 12207.
New York City	11th Floor, 205 East 42d Street, New York, N.Y. 10017.
North Carolina	Post Office Box No. 9513, Morgan Street Station, Raleigh, N.C. 27603 (714 Tucker Street).
North Dakota	Federal Building, Post Office Box No. 1417, Bismarck, N. Dak. 58501.
Ohio	34 North High Street, Columbus, Ohio 43215.
Oklahoma	810 Leonhardt Building, Oklahoma City, Okla. 73102.
Oregon	Post Office Box No. 4288, Portland, Oreg. 97208 (811 Northeast Oregon Street, Portland, Oreg.).
Pennsylvania	Post Office Box 1921, Harrisburg, Pa. 17105 (No. 2 Riverside Office Center, Third Floor, 2101 North Front Street).
Puerto Rico	Post Office Box No. 4031, San Juan, P.R. 00905.
Rhode Island	1 Washington Avenue, Providence, R.I. 02905.
South Carolina	1801 Assembly Street, Columbia, S.C. 29201.
South Dakota	Post Office Box No. 1872, Rapid City, S. Dak. 57701.
Tennessee	Room 500, 1717 West End Building, Nashville, Tenn. 37203.
Texas	515 Western Republic Building, 702 Colorado Street, Austin, Tex. 78701.
Utah	102 Soldiers Circle, Fort Douglas, Utah 84113.
Vermont	Federal Building, Post Office Box 308, Montpelier, Vt. 05602.
Virginia	Federal Office Building, 400 North Eighth Street, Richmond, Va. 23240.

State	Address
Virgin Islands	Post Office Box No. 360, Charlotte Amalie, St. Thomas, V.I. 00801.
Washington	Washington National Guard Armory, South 10th and Yakima, Tacoma, Wash. 98405.
West Virginia	Federal Office Building, Charleston, W. Va. 25301.
Wisconsin	Post Office Box No. 2157, 1220 Capitol Court, Madison, Wis. 53701.
Wyoming	Post Office Box 2186, 200 East Eighth Avenue, Cheyenne, Wyo. 82001.

§ 1606.59 Time for obtaining information.

A request for information under these regulations may be made in writing or orally during business hours on a regular business day. When information to be furnished is not readily available, the employee responsible for obtaining the information shall make it available within a reasonable time.

§ 1606.60 Identification of information requested.

Any person who requests information under these regulations shall provide a reasonably specific description of the information sought so that it may be located without undue search or inquiry. Information that is not identified by a reasonably specific description is not an identifiable record, and the request for that information may be declined.

§ 1606.61 Public information policy.

In addition to the policies relative to the disclosure of information when requested by a member of the public, the Selective Service System has a positive public information policy under which information is brought to the attention of the public. Under this policy, the Selective Service System brings to the public, through news releases, regular question-and-answer releases, pamphlets, and educational courses for distribution to high schools; information concerning important events, the application of the Military Selective Service Act of 1967, Selective Service Regulations, and the functions of the Selective Service System. Orientation books, containing background information on the Selective Service System, are also available for distribution to clubs, libraries, schools, business firms, labor unions, religious bodies, and other organizations. Information concerning sources and location of research material will be supplied, upon request, by the Office of Public Information, National Headquarters, Selective Service System.

(Sec. 10, 62 Stat. 618, as amended; 50 U.S.C. App. 460; 81 Stat. 54, 5 U.S.C. 552; E.O. 9979, July 20, 1948, 13 F.R. 4177; 3 CFR, 1943–48 Comp.)

The foregoing amendment to the Selective Service Regulations shall become effective upon filing with the Office of the Federal Register.

[SEAL] LEWIS B. HERSHEY,
Director of Selective Service.

OCTOBER 12, 1967.

[F.R. Doc. 67-12235; Filed, Oct. 16, 1967; 8:48 a.m.]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Agricultural Stabilization and Conservation Service

[7 CFR Part 730]

RICE

Notice of Determinations To Be Made With Respect to Marketing Quotas, National, State, and County Acreage Allotments, County Normal Yields, and Date for Conducting a Referendum on Marketing Quotas for the 1968 Crop

Pursuant to the authority contained in applicable provisions of the Agricultural Adjustment Act of 1938, as amended (7 U.S.C. 1301, 1352, 1353, 1354, 1377), the Secretary of Agriculture is preparing to determine whether marketing quotas are required to be proclaimed for the 1968 crop of rice, to determine and proclaim the national acreage allotment for the 1968 crop of rice, to apportion among States and counties the national acreage allotment for the 1968 crop of rice, to establish county normal yields for the 1968 crop of rice, and to establish a date for conducting a referendum on marketing quotas in the event quotas are proclaimed for the 1968 crop of rice.

Section 354 of the act provides that whenever in the calendar year 1967 the Secretary determines that the total supply of rice for the 1967–68 marketing year will exceed the normal supply for such marketing year the Secretary shall, not later than December 31, 1967, proclaim such fact and marketing quotas shall be in effect for the crop of rice produced in 1968. Within 30 days after the issuance of such proclamation, the Secretary shall conduct a referendum by secret ballot of farmers engaged in the production of the immediately preceding crop of rice to determine whether farmers are in favor of or opposed to such quotas.

Section 352 of the act, as amended, provides that the national acreage allotment of rice for 1968 shall be that acreage which the Secretary determines will, on the basis of the national average yield of rice for the 5 calendar years 1963 through 1967, produce an amount of rice adequate, together with the estimated carryover from the 1967–68 marketing year, to make available a supply for the 1968–69 marketing year not less than the normal supply. The Secretary is required under this section of the act to proclaim such national acreage allotment not later than December 31, 1967.

Section 353(c)(6) of the act, as amended, provides that the national acreage allotment of rice for 1968 shall be not less than the national acreage allotment for 1956, including the 13,512 acres apportioned to States pursuant to paragraph (5) of section 353(c) of the act. Under this provision, the national acreage allotment of rice for 1968 will be not less than 1,652,596 acres.

As defined in section 301 of the act, for purposes of these determinations, "total supply" for any marketing year is the carryover of rice for such marketing year, plus the estimated production of rice in the United States during the calendar year in which such marketing year begins and the estimated imports of rice into the United States during such marketing year; "normal supply" for any marketing year is the estimated domestic consumption of rice for the marketing year ending immediately prior to the marketing year for which normal supply is being determined, plus the estimated exports of rice for the marketing year for which normal supply is being determined, plus 10 per centum of such consumption and exports, with adjustments for current trends in consumption and for unusual conditions as deemed necessary; and "marketing year" for rice is the period August 1–July 31.

Section 353 (a) and (c)(6) of the act requires that the national acreage allotment of rice for the 1968 crop, less a reserve of not to exceed one per centum thereof for apportionment to farms receiving inadequate allotments because of insufficient State or county allotments or because rice was not planted on the farm during all the years of the base period, be apportioned among the several States in which rice is produced in the same proportion that they shared in the total acreage allotted to States in 1956 (State acreage allotments, plus the additional acreage allocated to States under section 353(c)(5) of the act, as amended).

Section 353(b) of the act requires that the State acreage allotment of rice for the 1968 crop shall be apportioned to farms owned or operated by persons who have produced rice in the State in any one of the 5 calendar years, 1963 through 1967, on the basis of past production of rice in the State by the producer on the farm taking into consideration the acreage allotments previously established in the State for such owners or operators; abnormal conditions affecting acreage; land, labor, and equipment available for the production of rice; crop rotation practices; and the soil and other factors affecting the production of rice. Provision is made that if the State committee recommends such action and the Secretary determines that such action will facilitate the effective administration of the act, he may provide for the apportionment of part or all of the State acreage allotment to farms on which rice has been produced during any one of such period of years on the basis of the foregoing factors, using past production of rice on the farm and the acreage allotments previously established for the farm in lieu of past production of rice by the producer and the acreage allotments previously established for such owners or operators. Provision is also made that if the Secretary determines that part of the State acreage allotment shall be apportioned on the basis of past production of rice by the producer on the farm and part on the basis of the past production of rice on the farm, he shall divide the State into two administrative areas, to be designated "producer administrative area" and "farm administrative area", respectively, which areas shall be separated by a natural barrier which would prevent each area from being readily accessible to rice producers in one area from producing rice in the other area, and each area shall be composed of whole counties. Not more than 3 per centum of the State acreage allotment shall be apportioned among farms operated by persons who will produce rice in the State in 1968 but who have not produced rice in the State in any one of the years, 1963 through 1967, on the basis of the applicable apportionment factors set forth herein: *Provided*, That in any State in which allotments are established for farms on the basis of past production of rice on the farm such percentage of the State acreage allotment shall be apportioned among the farms on which rice is to be planted during 1968 but on which rice was not planted during any of the years, 1963 through 1967, on the basis of the applicable apportionment factors set forth in said section 353. In determining the eligibility of any producer or farm for an allotment as an old producer or farm under the first sentence of subsection (b) of section 353 of the act or as a new producer or farm under the second sentence of such subsection, such producer or farm shall not be considered to have produced rice on any acreage which under subsection (c)(2) of section 353 of the act either is not to be taken into account in establishing acreage allotments or is not to be credited to such producer. For purposes of section 353 of the act in States which have been divided into administrative areas pursuant to subsection (b) thereof, the term "State acreage allotment" shall be deemed to mean that part of the State acreage allotment apportioned to each administrative area and the word "State" shall be deemed to mean "administrative area", wherever applicable.

Section 353(c)(1) of the act provides that if farm acreage allotments are established by using past production of rice on the farm and the acreage allotments previously established for the farm in lieu of past production of rice by the producer and the acreage allotments previously established for owners or operators, the State acreage allotment shall be apportioned among counties in the

State on the same basis as the national acreage allotment is apportioned among the States and the county acreage allotments shall be apportioned to farms on the basis of the applicable factors set forth in subsection (b) of the section: *Provided,* That if the State is divided into administrative areas pursuant to subsection (b) of this section the allotment for each administrative area shall be determined by apportioning the State acreage allotment among counties as provided in this subsection and totaling the allotments for the counties in such area: *Provided,* That the State committee may reserve not to exceed 5 per centum of the State allotment, which shall be used to make adjustments in county allotments for trends in acreage and for abnormal conditions affecting plantings.

Section 301(b)(13)(D) of the act provides that the "normal yield" of rice for 1968 for any county shall be the average yield per acre of rice for the county during the 5 calendar years 1963 through 1967 adjusted for abnormal weather conditions and trends in yields. Provision is made therein that if for any such year data are not available, or there is no actual yield, an appraised yield for such year, determined in accordance with regulations of the Secretary, taking into consideration the yields obtained in surrounding counties during such year and the yield in years for which data are available, shall be used as the actual yield for such year.

Section 301(b)(13)(F) of the act provides that if on account of drought, flood, insect pests, plant disease, or other uncontrollable natural cause, the yield for any county for any year during the years 1963 through 1967 is less than 75 per centum of the average, 75 per centum of such average shall be substituted therefor in calculating the normal yield per acre; and if on account of abnormally favorable weather conditions, the yield for any county for any year during the years 1963 through 1967 is in excess of 125 per centum of the average, 125 per centum of such average shall be substituted therefor in calculating the normal yield per acre.

Section 377 of the act provides that any case in which the acreage planted to rice on any farm in any year is less than the rice acreage allotment for the farm for such year, the entire acreage allotment for such farm for such year shall be considered for purposes of future State, county, and farm acreage allotments to have been planted to rice in such year, if, except for federally owned land, an acreage equal to or greater than 75 per centum of the farm acreage allotment for such year or for either of the two immediately preceding years was actually planted to rice in such year or was regarded as planted to rice under the soil bank program.

Sections 106 and 112 of the Soil Bank Act provide that the acreage on any farm which is determined to have been diverted from the production of rice under the acreage reserve or conservation reserve program shall be considered as rice acreage for the purpose of establishing future farm, county, and State acreage allotments under the Agricultural Adjustment Act of 1938, as amended. Section 16(a)(6) of the Soil Conservation and Domestic Allotment Act, as amended, authorizes the Secretary, to the extent he deems it desirable to carry out the purposes of the cropland conversion program, to provide any cropland conversion agreement for (1) preservation for a period not to exceed the period covered by the agreement and an equal period thereafter of the cropland, crop acreage and allotment history applicable to the land covered by the agreement for the purposes of any Federal program under which such history is used as a basis for an allotment or other limitation on the production of such crop; or (2) surrender of any such history and allotments.

Section 602(g) of the Food and Agriculture Act of 1965 (Public Law 89-321) provides that, notwithstanding any other provision of law, the Secretary may, to the extent he deems it desirable, provide by appropriate regulations for preservation of cropland, crop acreage, and allotment history applicable to acreage diverted from the production of crops in order to establish or maintain vegetative cover or other approved practices for the purpose of any Federal program under which such history is used as a basis for an allotment or other limitation or for participation in such program. This section also repeals section 16(e)(6) of the Soil Conservation and Domestic Allotment Act, as amended, referred to above, but preserves all rights accruing thereunder to persons who entered into contracts or agreements prior to such repeal.

Prior to making any of the foregoing determinations with respect to marketing quotas and national, State, and county acreage allotments, and county normal yields for the 1968 crop of rice, including national, State, and county reserves, and announcing the date of the referendum, if marketing quotas are required, consideration will be given to data, views, and recommendations pertaining thereto which are submitted in writing to the Director, Policy and Program Appraisal Division, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, Washington, D.C. 20250. All written submissions must be postmarked not later than 10 days after the date of publication of this notice in the FEDERAL REGISTER. All written submissions made pursuant to this notice will be made available for public inspection at such times and places and in a manner convenient to the public business (7 CFR 1.27(b)).

Signed at Washington, D.C., on October 11, 1967.

E. A. JAENKE,
Acting Administrator, Agricultural Stabilization and Conservation Serice.

[F.R. Doc. 67-12237; Filed, Oct. 16, 1967; 8:48 a.m.]

[7 CFR Part 777]

PROCESSOR WHEAT

Marketing Certificate Regulations

Notice is hereby given pursuant to section 4a, Administrative Procedure Act (60 Stat. 238, 5 U.S.C. 553) that the Agricultural Stabilization and Conservation Service proposes to issue Amendment 6 to the Republication of the Processor Wheat Marketing Certificate Regulations (31 F.R. 13502).

Consideration will be given to all written comments or suggestions in connection with the proposed amendment, filed in duplicate, with the Director, Procurement and Sales Division, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, Washington, D.C. 20250, during the 15-day period beginning with the date this notice is published in the FEDERAL REGISTER. All written submissions made pursuant to this notice will be made available for public inspection in the Office of the Director at the above address during regular business hours (7 CFR 1.27(b)).

It is proposed that certain allowances be made for wheat which is artificially dried at the plant prior to processing. While the regulations have permitted processors to take a deduction for normal shrinkage not to exceed three-fifths of 1 percent, the regulations have not heretofore authorized any deduction for certificate liability for losses incurred from artificial drying. It is recognized that grain with high moisture tends to deteriorate while in storage and in many instances, it is necessary that such grain be artificially dried to put it into storable condition. When such grain is artificially dried, there is an inherent loss in weight. From advice received from representatives in the Department and the grain storage industry, it was determined that wheat is normally artificially dried to approximately 12.5 percent moisture to allow for safe storage. In the event the processor is unable to weigh the wheat as it is removed from the dryer, an alternative method to determine the weight lost through artificial drying is provided. This matter has been raised at this time as the 1967 crop year wheat contains an excessive amount of moisture and in many instances, must be artificially dried to put it in storable condition.

This amendment proposes that processors may report the gross weight less dockage after artificially drying any wheat to put it into storable condition except adjustments must be made for wheat dried to less than 12.5 percent moisture.

The proposed amendment would read as follows:

Appendix II is amended by adding the following sentences to Item 5: "If any wheat has been artificially dried at the plant prior to processing in order to permit it to be safely stored, the processor may determine the quantity to be entered in Item 4B by using the gross weight of such wheat after it has been dried less

dockage, except that the weight of wheat artificially dried to less than 12.5 percent moisture shall be adjusted upward to reflect a 12.5 percent moisture. When the weight after drying is used, the processor must show in his records the gross weight and the moisture content of the wheat received prior to drying and the gross weight and the moisture content of the wheat after drying. If the processor is unable to weigh the wheat as it is removed from the dryer, he may determine the weight which is lost through artificially drying of such wheat on the following basis: Multiply the receiving weight by 1.2 times the percentage difference between the moisture content of the wheat prior to drying and the moisture content of the wheat after drying or 12.5 percent whichever is higher."

Appendix II is amended by changing the first paragraph of Item 14 to read as follows:

(14) Enter in Item 5H the quantity of shrinkage, if any, applicable to the weight of wheat received at the processing plant location during the processing report period (Item 4B). Such shrinkage quantity shall not exceed three-fifths of 1 percent of the quantity entered in Item 4B. Any shrinkage deducted of one-eighth of 1 percent or less must be determined on a reasonable basis which can be supported by the processor. Any shrinkage deducted in excess of one-eighth of 1 percent must be based on the most recent representative experience for which the processor has records reflecting his average shrinkage per bushel of wheat received. Shrinkage resulting from artificial drying, cleaning, or screening of wheat is not eligible for deduction as shrinkage. Processors may, however, reflect in the manner prescribed in Item 5 of this appendix, the loss of weight resulting from artificially drying wheat prior to processing.

Effective date: It is proposed that this amendment be effective with respect to wheat received on and after July 1, 1967.

Signed at Washington, D.C., on October 11, 1967.

E. A. JAENKE,
Acting Administrator, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 67-12238; Filed, Oct. 16, 1967; 8:48 a.m.]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 71]

[Airspace Docket No. 67-SO-73]

FEDERAL AIRWAY SEGMENT

Proposed Alteration

The Federal Aviation Administration is considering an amendment to Part 71 of the Federal Aviation Regulation that would alter the floor on the segment of VOR Federal airway No. 56 from Fayetteville, N.C., to 41 miles east of Fayetteville, from 2,500 feet MSL to 1,500 feet MSL.

The lowering of this airway floor would permit the minimum en route altitude (MEA) to be established at 2,000 feet MSL for this airway segment. This lower MEA would provide for the use of an additional altitude for handling IFR traffic between Fayetteville and the Wallace, N.C., intersection.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Southern Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, Post Office Box 20636, Atlanta, Ga. 30320. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendments. The proposals contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Administration, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C. 20590. An informal docket will also be available for examination at the office of the Regional Air Traffic Division Chief.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued in Washington, D.C., on October 9, 1967.

H. B. HELSTROM,
Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 67-12230; Filed, Oct. 16, 1967; 8:47 a.m.]

[14 CFR Part 75]

[Airspace Docket No. 67-CE-116]

JET ROUTES

Proposed Alteration and Extension

The Federal Aviation Administration is considering amendments to Part 75 of the Federal Aviation Regulations that would realign Jet Route No. 84 segment from Wolbach, Nebr., direct to Dubuque, Iowa; and extend Jet Route No. 45 from Des Moines, Iowa, to Wolbach. The realignment of J-84 segment is being made to provide route continuity as the main traffic flow on J-84 is between San Francisco and Chicago terminals. The extension of J-45 would provide a replacement route for en route traffic operating between Wolbach and Des Moines.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Central Region, Attention: Chief, Air Traffic Division, Federal Building, Federal Aviation Administration, 601 East 12th Street, Kansas City, Mo. 64106. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. The proposal contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Administration, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C. 20590. An informal docket also will be available for examination at the office of the Regional Air Traffic Division Chief.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued in Washington, D.C., on October 10, 1967.

H. B. HELSTROM,
Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 67-12231; Filed, Oct. 16, 1967; 8:47 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 67-SW-60]

CONTROL ZONE AND TRANSITION AREA

Proposed Designation

The Federal Aviation Administration is considering amending Part 71 of the Federal Aviation Regulations to designate controlled airspace in the Alamogordo, N. Mex., terminal area.

Interested persons may submit such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Division, Southwest Region, Federal Aviation Administration, Post Office Box 1689, Fort Worth, Tex. 76101. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Chief, Air Traffic Division. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested persons at the Office of the Regional Counsel, Southwest Region, Federal Aviation Administration, Fort Worth, Tex. An informal docket will also be available for examination at the Office of the Chief, Air Traffic Division.

It is proposed to designate the Alamogordo, N. Mex., control zone as follows:

ALAMOGORDO, N. MEX.

Within a 5-mile radius of the Holloman Air Force Base Airport (lat. 32°51'04" N., long. 106°06'05" W.); within 2 miles each side of the Holloman VOR 015° (003° magnetic) radial extending from the 5-mile radius zone to 8 miles north of the VOR; within 2 miles each side of the extended centerline of Runway 3 extending from the 5-mile radius zone to 4.5 miles northeast of the northeast end of Runway 3; within 2 miles each side of the extended centerline of Runway 15 extending from the 5-mile radius zone to 4.5 miles south of the south end of Runway 15; within 2 miles each side of the extended centerline of Runway 21 extending from the 5-mile radius zone to 4.5 miles southwest of the southwest end of Runway 21; within 2 miles each side of the Holloman TACAN 349° (337° magnetic) radial extending from the 5-mile radius zone to 17.5 miles north of the TACAN; and within 2 miles each side of the VOR 350° (338° magnetic) radial extending from the 5-mile radius zone to 8 miles north of the VOR; excluding that portion within a 2-mile radius of the Alamogordo Municipal Airport (lat. 32°50'27" N., long. 105°59'17" W.) and within a 2-mile radius of the Midway Airport (lat. 32°52'04" N., long. 105°59'26" W.). The portion of this control zone within R-5107D extends upward to 22,000 feet MSL.

It is proposed to designate the Alamogordo, N. Mex., transition area as follows:

ALAMOGORDO, N. MEX.

That airspace extending upward from 700 feet above the surface within a 11-mile radius of the Holloman AFB Airport (lat. 32°51'04" N., long. 106°06'05" W.); within 4 miles east and 6 miles west of the Holloman AFB TACAN 349° radial (337° magnetic) extending from the 11-mile radius area to 17.5 miles north of the TACAN; within 2 miles east and 6 miles west of the extended centerline of Runway 15 extending from the 11-mile radius area to 12.5 miles south of the south end of Runway 15; that airspace extending upward from 1,200 feet above the surface beginning at the intersection of longitude 106°04'00" W. and the arc of a 35-mile radius circle centered at lat. 32°51'04" N., long. 106°06'05" W., thence clockwise via the arc of the 35-mile radius circle to lat. 32°43'15" N., to lat. 32°39'30" N., long. 105°24'30" W., to lat. 32°33'35" N., long. 105°30'00" W., to lat. 32°36'00" N., long. 105°30'00" W., to lat. 32°36'00" N., long. 106°06'00" W., to lat. 32°34'00" N., long. 106°06'00" W., to lat. 32°34'00" N., long. 106°15'00" W., to lat. 33°04'00" N., long. 106°21'00" W., to lat. 33°11'00" N., long. 106°17'00" W., to lat. 33°11'00" N., long. 106°04'00" W., thence north along long. 106°04'00" W., to the point of beginning; and within 5 miles each side of the Holloman TACAN 044° radial (032° magnetic) extending from the 35-mile radius arc to 41.5 miles northeast of the TACAN; within 5 miles each side of a direct line from the Holloman VOR to the Roswell, N. Mex., VORTAC extending from the 35-mile radius arc to longitude 105°09'00" W.; within 5 miles each side of a direct line from the Holloman TACAN to the Roswell, N. Mex., VORTAC extending from the 35-mile radius arc to longitude 105°09'00".

Designation of controlled airspace in the Alamogordo, N. Mex., terminal area will provide airspace necessary for instrument approach/departure procedures in this area.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued in Fort Worth, Tex., on October 6, 1967.

HENRY L. NEWMAN,
Director, Southwest Region.

[F.R. Doc. 67-12232; Filed, Oct. 16, 1967; 8:47 a.m.]

[14 CFR Parts 91, 121]

[Docket No. 8463; Notice 67-45]

SPECIAL VFR WEATHER MINIMUMS

Safe Altitudes

The Federal Aviation Administration is considering amending the Federal Aviation Regulations to make the Special Visual Flight Rules (VFR) weather minimums applicable only to helicopter operations.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the regulatory docket or notice number and be submitted in duplicate to: Federal Aviation Administration, Office of the General Counsel, Attention: Rules Docket GC-24, 800 Independence Avenue SW., Washington, D.C. 20590. All communications received on or before December 18, 1967, will be considered by the Administrator before taking action on the proposed rule. The proposal contained in this notice may be changed in the light of comments received. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

Special VFR weather minimums were established to permit aircraft, after receiving an appropriate ATC clearance, to operate in a control zone clear of clouds and with as little as one mile visibility.

At the time the Special VFR weather minimums were adopted, slower aircraft speeds and substantially less traffic in terminal areas permitted Special VFR operations to be conducted with an adequate margin of safety. However, operational conditions are changing. General aviation and air carrier aircraft speeds have increased markedly, and the number of operations at airports with FAA towers increased 69 percent from 1958 to 1966.

The present high speed capability of many commercial as well as private aircraft, combined with the marginal weather conditions in which the Special VFR concept is employed tend to make it difficult for pilots to employ the "see and avoid" concept. Concentrations of VFR aircraft at control zone boundaries awaiting a Special VFR clearance at locations of high density traffic can result in a dangerous situation, especially in deteriorating weather conditions. Experience has also shown that Special VFR flights penetrating the traffic sequence of a congested control zone can disrupt the orderly and expeditious flow of traffic. A continuous flow of sequenced IFR traffic must be interrupted periodically to permit Special VFR flights to approach. Such interruptions can complicate terminal operations involving heavy traffic, and compound delays especially during peak periods.

During low ceiling conditions of 1,000 feet or less, Special VFR flights in control zones may find it impossible to comply with the minimum safe altitude requirements of § 91.79. A conflict will arise when aircraft required to maintain 1,000 feet obstruction clearance above the highest obstacle in a congested area encounter a ceiling of less than 1,000 feet. This situation is hazardous for the aircraft, its occupants, and persons and property on the ground.

In consideration of the foregoing, it is proposed to amend the appropriate FARs to eliminate VFR operation of fixed-wing aircraft in control zones, when weather conditions are less than the Basic VFR weather minimums prescribed for control zones.

This amendment is proposed under the authority in section 307, 313(a), 601, and 604 of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued in Washington, D.C., on October 10, 1967.

ARCHIE W. LEAGUE,
Director, Air Traffic Service.

F.R. Doc. 67-12233; Filed, Oct. 16, 1967; 8:47 a.m.]

DEPARTMENT OF LABOR

Wage and Hour Division

[29 CFR Part 524]

COMMERCIAL EMPLOYMENT OF HANDICAPPED WORKERS AT LESS THAN 50 PER CENTUM OF MINIMUM WAGE

Notice of Proposed Rule Making

In order to provide for the commercial employment of handicapped workers at less than 50 per centum of the minimum wage provided by section 6 of the Fair Labor Standards Act of 1938, (in the view that those who are unable to earn more at production rates for nonhandicapped workers "are unable to engage in competitive employment" within the meaning of an exception from the requirement that even handicapped workers must be paid at least half the statutory minimum wage), it is proposed to expand the provision for certificates authorizing such employment pursuant to section 14(d)(2) of the Act so as to make them available for commercial employment in addition to the sheltered workshop employment presently authorized by 29 CFR Part 525. This is the substance of the revision of 29 CFR Part 524, which is hereby proposed, and which is set out below. This revision is proposed under authority provided in section 14 of the Fair Labor Standards Act of 1938 (29 U.S.C. 214), Reorganization Plan No. 6 of 1950 (3 CFR 1949-53 Comp., p. 1004), and General Order No. 45-A of the Secretary of Labor (15 F.R. 3290).

Interested persons may participate in the deliberations whether 29 CFR Part

524 should be revised in this way by mailing pertinent written data, views, or argument to the Administrator, Wage and Hour and Public Contracts Divisions, U.S. Department of Labor Building, 14th Street and Constitution Avenue, NW., Washington, D.C., 20210, within 30 days after this proposal is published in the FEDERAL REGISTER.

Signed at Washington, D.C., this 10th day of October 1967.

CLARENCE T. LUNDQUIST,
Administrator, Wage and Hour and Public Contracts Divisions, U.S. Department of Labor.

PART 524—SPECIAL MINIMUM WAGES FOR HANDICAPPED WORKERS IN COMMERCIAL EMPLOYMENT

Sec.
524.1 Applicability of this part.
524.2 Definitions.
524.3 Application for a certificate.
524.4 Special provisions applicable to handicapped trainees or evaluees.
524.5 Conditions for granting a certificate.
524.6 Additional data when required.
524.7 Issuance of a certificate.
524.8 Terms of a certificate.
524.9 Renewal of a certificate.
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524.12 Issuance of certificates for experimental purposes.
524.13 Amendment of this part.

AUTHORITY: The provisions of this Part 524 issued under sec. 14, 52 Stat. 1068, as amended; 29 U.S.C. 214. Interpret or apply sec. 11, 52 Stat. 1066, as amended; 29 U.S.C. 211.

§ 524.1 Applicability of this part.

(a) The Fair Labor Standards Amendments of 1966 (P.L. 89–601, 80 Stat. 830), among other things, revise the provisions of the Fair Labor Standards Act of 1938 (29 U.S.C. 201) for the employment of handicapped persons at special minimum wages. The new provision reads as follows:

(d) (1) Except as otherwise provided in paragraphs (2) and (3) of this subsection, the Secretary of Labor, to the extent necessary in order to prevent curtailment of opportunities for employment, shall by regulation or order provide for the employment under special certificates of individuals (including individuals employed in agriculture) whose earning or productive capacity is impaired by age or physical or mental deficiency or injury, at wages which are lower than the minimum wage applicable under section 6 of this Act but not less than 50 per centum of such wage and which are commensurate with those paid nonhandicapped workers in industry in the vicinity for essentially the same type, quality, and quantity of work.

(2) The Secretary, pursuant to such regulations as he shall prescribe and upon certification of the State agency administering or supervising the administration of vocational rehabilitation services, may issue special certificates for the employment of—

(A) Handicapped workers engaged in work which is incidental to training or evaluation programs, and

(B) Multihandicapped individuals and other individuals whose earning capacity is so severely impaired that they are unable to engage in competitive employment.

at wages which are less than those required by this subsection and which are related to the worker's productivity.

(b) This Part 524 provides for the commercial employment of such handicapped workers at special minimum wages. The regulations governing their employment in sheltered workshops are provided in 29 CFR Part 525.

§ 524.2 Definitions.

As used in this part—

(a) "Handicapped worker" or "worker" means an individual whose earning or productive capacity is impaired by age or physical or mental deficiency or injury for the work he is to perform.

(b) "Handicapped trainee" or "trainee" or "handicapped evaluee" or "evaluee" means an individual whose earning or productive capacity is impaired by age or physical or mental deficiency or injury and who is receiving training or evaluation services in industry under a vocational rehabilitation program administered by the Veterans Administration or a vocational rehabilitation agency as authorized by, and operating, pursuant to, the Vocational Rehabilitation Act as amended.

(c) "State agency" shall mean the State agency which administers or supervises the administration of vocational rehabilitation services in the State of the United States, the District of Columbia, or the territory or possession of the United States in which the employment at special minimum wages is to occur.

(d) "Training program" means a program of not more than 12 months duration designed to (1) develop the patterns of behavior which will help a client adjust to a work environment, or (2) teach the skills and knowledge related to a specific occupational objective of a job family, and which meets State agency standards.

(e) "Evaluation program" means a program of not more than 6 months duration, except that longer periods may be approved in unusual circumstances, using the medium of work to determine a client's potential, and which meets State agency standards.

(f) "Competitive employment" is employment of a handicapped worker whose earning or productive capacity would yield wages equal to at least 50 per centum of the minimum wage applicable under section 6 of the Act at wage rates which are commensurate with those for nonhandicapped workers in the industry in the vicinity for essentially the same type, quality, and quantity of work.

§ 524.3 Application for a certificate.

(a) Application shall be made to the Regional or District Director of the administrative region or district of the Wage and Hour and Public Contracts Divisions, U.S. Department of Labor, in which the handicapped worker or handicapped trainee is to be employed. Application forms may be obtained from the appropriate Regional or District Director.

(b) The application shall set forth, among other things, the nature of the disability, a description of the occupation at which the worker is to be employed, and the wage the firm proposes to guarantee the worker per hour. The nature of the disability must be set out in detail. Vague statements such as "nervous condition," "physically incapacitated," "slow worker," etc., are not sufficient.

(c) When a wage is requested which is less than 50 per centum of the minimum wage applicable under section 6 of the Act, the application shall also contain—

(1) Evidence that: (i) The individual is engaged in work which is incidental to a training or evaluation program as defined in § 524.2 (d) or (e), or

(ii) The individual is multihandicapped or so severely impaired that he is unable to engage in competitive employment as defined in § 524.2(f).

For such workers the rate shall be not less than 25 per centum of the statutory minimum.

(2) Such application shall also be certified by the State agency defined in § 524.2(c) that the individual is (i) a handicapped worker engaged in work which is incidental to a training or evaluation program or (ii) is a multihandicapped individual or other individual whose earning capacity is so severely impaired that he is unable to engage in competitive employment.

(d) The application shall be signed jointly by the employer and the worker and be returned to the Regional or District Director by the employer.

§ 524.4 Special provisions applicable to handicapped trainees or evaluees.

(a) Employment of a trainee or evaluee pursuant to the Vocational Rehabilitation Act or to a rehabilitation program of the Veterans Administration for veterans with a service-incurred disability under a temporary certificate or a special certificate shall be governed by this part as modified by this section.

(b) Temporary certificates authorizing the employment of such trainees or evaluees at wages lower than the minimum wage applicable under section 6 of the Act but not less than 50 per centum of such wage and which are commensurate with those paid nonhandicapped workers in industry in the vicinity for essentially the same type, quality, and quantity of work may be issued whenever employment at such lower rate is necessary in order to prevent curtailment of opportunities for employment. Such temporary certificates are to be issued by duly authorized representatives of State vocational rehabilitation agencies and of the Veterans Administration.

(c) When the condition as specified in paragraph (b) of this § 524.4 would require a wage less than 50 per centum of the minimum wage applicable under section 6 of the Act, such lesser wage may be authorized in a temporary certificate issued by the State agency if the State agency certifies that the handicapped worker is engaged in work which is incidental to a training or evaluation

program as defined in § 524.2 (d) or (e). The rate provided in temporary certificates issued by representatives of the Veterans Administration or in superseding special certificates issued pursuant to a recommendation of the Veterans Administration may not be less than 50 per centum of the statutory minimum wage applicable under section 6 of the Act unless the State agency has certified that the handicapped worker is engaged in work which is incidental to a training or evaluation program as defined in § 524.2 (d) or (e).

(d) A temporary certificate will designate the employer, the trainee or evaluee, and the special minimum wage rate. If the special minimum wage rate is less than 50 per centum of the statutory minimum wage applicable under section 6 of the Act as provided in paragraph (c) of this § 524.4, the minimum wage specified shall be related to the worker's productivity. A temporary certificate will be valid for a period not to exceed 90 days from the date of issuance.

(e) Within 10 days after issuance of a temporary certificate, the supervising rehabilitation agency will forward a copy of the certificate together with a recommendation covering the special minimum rates for the balance of the training period to the appropriate Regional or District Director of the Wage and Hour and Public Contract Divisions, U.S. Department of Labor. Such recommendation shall not be for a wage which is less than is authorized pursuant to this § 524.4. If the recommendation is by a State agency and the special minimum wage requested is less than 50 per centum of the statutory minimum wage, the same certification required in paragraph (c) of this § 524.4 shall appear in the recommendation. The Regional or District Director, pursuant to this part may then issue a special certificate effective upon the expiration of the temporary certificate, or may terminate the temporary certificate prior to its expiration date, with or without issuing a superseding special certificate. If a temporary certificate is terminated prior to its expiration date without the issuance of a superseding special certificate, written notice of such termination shall be given the employer, the trainee, and the supervising rehabilitation agency.

(f) Money paid to the trainee by a State vocational rehabilitation agency or the Veterans Administration for maintenance or other expenses shall not be considered as off-setting any part of the wage or other remuneration due the trainee by the employer.

(g) A temporary certificate shall not be issued for a trainee if a satisfactory training opportunity for the desired training is available in the community at the minimum wage applicable under section 6 of the Act or above.

§ 524.5 Conditions for granting a certificate.

If the application is in proper form and sets forth facts showing:

(a) A special minimum wage is necessary to prevent curtailment of the worker's opportunities for employment; and

(b) The earning or productive capacity of the worker for the work he is to perform is impaired by age or physical or mental deficiency or injury, a certificate may be issued.

§ 524.6 Additional data when required.

To determine whether the facts justify the issuance of a certificate, the Administrator or his authorized representative may require the submission of additional information and may require the worker to take a medical examination.

§ 524.7 Issuance of a certificate.

(a) If the application and other available information indicate that the requirements of this part are satisfied, the Administrator or his authorized representative shall issue a certificate. Otherwise, he shall deny a certificate.

(b) If issued, copies of the certificate shall be transmitted to the employer and the worker, trainee, or evaluee, and, in the case of a certificate for a trainee or evaluee, to the appropriate vocational rehabilitation agency. If a certificate is denied, the same parties shall be given written notice of the denial.

§ 524.8 Terms of a certificate.

(a) A certificate shall specify, among other things, the name of the worker, trainee, or evaluee, the occupation in which he is to be employed, the special minimum wage rates, and the period(s) of time during which such rate(s) may be paid.

(b) A certificate shall be effective for a period to be designated by the Administrator or his authorized representative. Workers, trainees, or evaluees may be paid special minimum wages only during the effective period of the certificate.

(c) The wage rate(s) set in the certificate shall be fixed at a figure designed to reflect adequately the individual worker's, trainee's, or evaluee's earning or productive capacity. No wage rate shall be fixed at less than 75 percent of the applicable minimum wage under section 6 of the Act unless after investigation a lower rate appears to be clearly justified. Such lower rate shall not be less than 50 per centum of the minimum wage applicable under section 6 of the Act, except for individuals certified by the State agency as being engaged in work incidental to a training or evaluation program or as having earning capacity so impaired that they are unable to engage in competitive employment. In such case, the certificate shall require the worker's wages be related to his productivity. In no event shall such wage rate be less than is commensurate with wages paid nonhandicapped workers in industry in the vicinity for essentially the same type, quality, and quantity of work.

(d) In an establishment or a vicinity where nonhandicapped employees are employed at piece rates in the same occupation, the handicapped worker, trainee, or evaluee shall be paid at least the same piece rates. The worker, trainee, or evaluee must be paid his full piece rate earnings or the earnings at the hourly rate specified in the certificate, whichever is the greater.

(e) The worker, trainee, or evaluee shall be paid not less than one and one-half times the regular rate at which he is employed for all hours worked in excess of the maximum workweek applicable to him under section 7 of the Act.

(f) No provision of this part, or of any certificate issued under this part, shall excuse noncompliance with any other Federal or State law or municipal ordinance establishing higher standards.

(g) The terms of any certificate, including the wage rate(s) specified therein, may be amended by the Administrator or his authorized representative upon written notice to the parties concerned, if the facts justify such amendment.

§ 524.9 Renewal of a certificate.

(a) Application for renewal of any certificate shall be filed in the same manner as an original application.

(b) If an application for renewal has been properly and timely filed prior to the expiration date of a certificate, the certificate shall remain in effect until the application for renewal has been granted or denied.

§ 524.10 Records to be kept.

Every employer who employes a handicapped worker or handicapped trainee or evaluee pursuant to these regulations shall keep, maintain, and have available for inspection by the Administrator or his authorized representative a copy of the certificate and all other records required under the applicable provisions of Part 516 (recordkeeping regulations) of this chapter.

§ 524.11 Review.

Any person aggrieved by an action of an authorized representative of the Administrator taken pursuant to this part may, within 15 days after such action, file with the Administrator a petition for review of the action complained of, setting forth grounds for seeking review. If such review is granted, the Administrator or an authorized representative who took no part in the action under review may, to the extent he deems it appropriate, afford other interested persons an opportunity to present data and views.

§ 524.12 Issuance of certificates for experimental purposes.

In addition to the issuance of certificates as provided in §§ 524.1 to 524.11, the Administrator may authorize the issuance of certificates to permit employment of handicapped workers, trainees, or evaluees at less than the applicable minimum wage under section 6 of the Act as part of experimental programs to increase employment opportunities for such workers. Such certificates shall be issued in such types of cases and on such terms and conditions within the scope of section 14(d)(1) of the Act as the Administrator shall determine will best further any such experimental programs.

§ 524.13 Amendment of this part.

The Administrator may at any time upon his own motion or upon written request of any interested person setting forth reasonable ground therefor, and after opportunity has been given to interested persons to present their views, amend or revoke any of the terms of this part.

[F.R. Doc. 67-12215; Filed, Oct. 16, 1967; 8:46 a.m.]

Notices

DEPARTMENT OF STATE

[Public Notice 279]

CERTAIN NONIMMIGRANT VISAS

Validity

Public Notice 261 of April 6, 1967 authorized consular officers to issue, in their discretion, nonimmigrant visas under section 101(a)(15)(B) of the Immigration and Nationality Act valid for an indefinite period of time to otherwise eligible nationals of certain countries which offer reciprocal or more liberal treatment to nationals of the United States who are in a similar class. San Marino and St. Pierre and Miquelon are being added to the list of countries contained in that notice.

This notice amends Public Notice 261 of April 6, 1967 (32 F.R. 5643).

[SEAL] BARBARA M. WATSON,
Acting Administrator, Bureau of Security and Consular Affairs.

OCTOBER 5, 1967.

[F.R. Doc. 67-12225; Filed, Oct. 16, 1967; 8:47 a.m.]

DEPARTMENT OF THE TREASURY

Internal Revenue Service

BILL'S HOBBY SHOP

Notice of Granting of Relief Pursuant to Federal Firearms Act

Notice is hereby given that Wolfrum Joffee, doing business as Bill's Hobby Shop, 501 North O Street, Post Office Box 705, Madera, Calif. 93637, has applied, pursuant to section 10 of the Federal Firearms Act (15 U.S.C. 910), for relief from the disabilities under the Act incurred by reason of his conviction, January 24, 1966, in the Superior Court of the State of California in and for the county of Sacramento of a crime punishable by imprisonment for a term exceeding 1 year. Unless relief is granted, it will be unlawful for Wolfrum Joffee, because of such conviction, to ship, transport, or cause to be shipped or transported in interstate or foreign commerce any firearms or ammunition or to receive firearms or ammunition so shipped, and he would be prevented from obtaining a license under the Act as a firearms dealer or firearms manufacturer. Notice is further given that I have considered Wolfrum Joffee's application and have found:

(1) The conviction was made upon a charge which did not involve the use of a firearm or other weapon or a violation of the Federal Firearms Act or of the National Firearms Act; and

(2) It has been established to my satisfaction that the circumstances regarding the aforementioned conviction and Wolfrum Joffee's record and reputation are such that the granting to Wolfrum Joffee of relief from disabilities under the Federal Firearms Act incurred by reason of his conviction would not be contrary to the public interest:

It is ordered, Pursuant to the authority vested in the Secretary of the Treasury by section 10 of the Federal Firearms Act (15 U.S.C. 910) and delegated to me by Treasury Decision 6897 (26 CFR 177.31(c)), that Wolfrum Joffee be, and he hereby is, granted relief from any and all disabilities under the Federal Firearms Act, as amended, incurred by reason of the conviction hereinabove described.

Signed at Washington, D.C., this 11th day of October 1967.

[SEAL] SHELDON S. COHEN,
Commissioner of Internal Revenue.

[F.R. Doc. 67-12263; Filed, Oct. 16, 1967; 8:50 a.m.]

ROBERT D. BROMLEY

Notice of Granting of Relief Pursuant to Federal Firearms Act

Notice is hereby given that Robert D. Bromley, 1447 North Rhode Island, Mason City, Iowa 50401, has applied, pursuant to section 10 of the Federal Firearms Act (15 U.S.C. 910), for relief from the disabilities under the Act incurred by reason of his conviction, December 13, 1948, in the U.S. District Court for the Northern District of Iowa, Cedar Rapids Division, of a crime punishable by imprisonment for more than 1 year. Unless relief is granted, it will be unlawful for Robert D. Bromley, because of such conviction, to ship, transport, or cause to be shipped or transported in interstate or foreign commerce any firearms or ammunition or to receive firearms or ammunition so shipped, and he would be prevented from obtaining a license under the Act as a firearms dealer or firearms manufacturer. Notice is further given that I have considered Robert D. Bromley's application and have found:

(1) The conviction was made upon a charge which did not involve the use of a firearm or other weapon or a violation of the Federal Firearms Act or of the National Firearms Act;

(2) The applicant, by his subsequent conduct, has established himself as a respected citizen in his community; and

(3) It has been established to my satisfaction that the circumstances regarding the aforementioned conviction and Robert D. Bromley's record and reputation subsequent to his conviction are such that the granting to Robert D. Bromley of relief from disabilities under the Federal Firearms Act incurred by reason of his conviction would not be contrary to the public interest:

It is ordered, Pursuant to the authority vested in the Secretary of the Treasury by section 10 of the Federal Firearms Act (15 U.S.C. 910) and delegated to me by Treasury Decision 6897 (26 CFR 177.31(c)), that Robert D. Bromley be, and he hereby is, granted relief from any and all disabilities under the Federal Firearms Act, as amended, incurred by reason of the conviction hereinabove described.

Signed at Washington, D.C., this 11th day of October 1967.

[SEAL] SHELDON S. COHEN,
Commissioner of Internal Revenue.

[F.R. Doc. 67-12264; Filed, Oct. 16, 1967; 8:50 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-236]

LOCKHEED-GEORGIA CO.

Notice of Withdrawal of Application for Utilization Facility License

Notice is hereby given that the Lockheed-Georgia Co., a division of Lockheed Aircraft Corp., Marietta, Ga., has, pursuant to 10 CFR 2.107, withdrawn its application dated March 31, 1965, for licenses to construct and operate a Radiation Effects Reactor-II nuclear facility near Dawsonville, Ga.

Notice of the receipt of the application was published in the FEDERAL REGISTER on May 8, 1965, 30 F.R. 6446.

Dated at Bethesda, Md., this 9th day of October 1967.

For the Atomic Energy Commission.

DONALD J. SKOVHOLT,
Assistant Director for Reactor Operations, Division of Reactor Licensing.

[F.R. Doc. 67-12206; Filed, Oct. 16, 1967; 8:45 a.m.]

STATE OF COLORADO

Proposed Agreement for Assumption of Certain AEC Regulatory Authority

Notice is hereby given that the U.S. Atomic Energy Commission is publishing for public comment, prior to action thereon, a proposed agreement received from the Governor of the State of Colorado for the assumption of certain of the Commission's regulatory authority pursuant to section 274 of the Atomic Energy Act of 1954, as amended.

A résumé, prepared by the State of Colorado and summarizing the State's proposed program, was also submitted to the Commission. With the exception of the referenced organizational chart, the Radiation Advisory Committee membership and a listing of laboratory and

monitoring equipment, this résumé is set forth below as an appendix to this notice. A copy of the program, including proposed Colorado regulations, is available for public inspection in the Commission's Public Document Room, 1717 H Street NW., Washington, D.C., or may be obtained by writing to the Director, Division of State and Licensee Relations, U.S. Atomic Energy Commission, Washington, D.C. 20545. All interested persons desiring to submit comments and suggestions for the consideration of the Commission in connection with the proposed agreement should send them, in triplicate, to the Secretary, U.S. Atomic Energy Commission, Washington, D.C. 20545, within 30 days after initial publication in the FEDERAL REGISTER.

Exemptions from the Commission's regulatory authority which would implement this proposed agreement, as well as other agreements which may be entered into under section 274 of the Atomic Energy Act, as amended, were published as Part 150 of the Commission's regulations in FEDERAL REGISTER issuances of February 14, 1962, 27 F.R. 1351; September 22, 1965, 30 F.R. 12069; and March 19, 1966, 31 F.R. 4668. In reviewing this proposed agreement, interested persons should also consider the aforementioned exemptions.

Dated at Germantown, Md., this 28th day of September 1967.

For the Atomic Energy Commission.

W. B. McCOOL,
Secretary.

PROPOSED AGREEMENT BETWEEN THE U.S. ATOMIC ENERGY COMMISSION AND THE STATE OF COLORADO FOR DISCONTINUANCE OF CERTAIN COMMISSION REGULATORY AUTHORITY AND RESPONSIBILITY WITHIN THE STATE PURSUANT TO SECTION 274 OF THE ATOMIC ENERGY ACT OF 1954, AS AMENDED

Whereas, the U.S. Atomic Energy Commission (hereinafter referred to as the Commission) is authorized under section 274 of the Atomic Energy Act of 1954, as amended (hereinafter referred to as the Act) to enter into agreements with the Governor of any State providing for discontinuance of the regulatory authority of the Commission within the State under Chapters 6, 7, and 8 and section 161 of the Act with respect to byproduct materials, source materials, and special nuclear materials in quantities not sufficient to form a critical mass; and

Whereas, the Governor of the State of Colorado is authorized under section 66-26-2 Colorado Revised Statutes, 1963, annotated Volume 9 (181 CSL 1965) to enter into this Agreement with the Commission; and

Whereas, the Governor of the State of Colorado certified on September 12, 1967, that the State of Colorado (hereinafter referred to as the State) has a program for the control of radiation hazards adequate to protect the public health and safety with respect to the materials within the State covered by this Agreement, and that the State desires to assume regulatory responsibility for such materials; and

Whereas, the Commission found on _____ that the program of the State for the regulation of the materials covered by this Agreement is compatible with the Commission's program for the regulation of such materials and is adequate to protect the public health and safety; and

Whereas, the State and the Commission recognize the desirability and importance of cooperation between the Commission and the State in the formulation of standards for protection against hazards of radiation and in assuring that State and Commission programs for protection against hazards of radiation will be coordinated and compatible; and

Whereas, the Commission and the State recognize the desirability of reciprocal recognition of licenses and exemption from licensing of those materials subject to this Agreement; and

Whereas, this Agreement is entered into pursuant to the provisions of the Atomic Energy Act of 1954, as amended;

Now, therefore, it is hereby agreed between the Commission and the Governor of the State, acting in behalf of the State, as follows:

ARTICLE I. Subject to the exceptions provided in Articles II, III, and IV, the Commission shall discontinue, as of the effective date of this Agreement the regulatory authority of the Commission in the State under Chapters 6, 7, and 8, and section 161 of the Act with respect to the following materials:

A. Byproduct materials;

B. Source materials; and

C. Special nuclear materials in quantities not sufficient to form a critical mass.

ARTICLE II. This Agreement does not provide for discontinuance of any authority and the Commission shall retain authority and responsibility with respect to regulation of:

A. The construction and operation of any production or utilization facility;

B. The export from or import into the United States of byproduct, source, or special nuclear material, or of any production or utilization facility;

C. The disposal into the ocean or sea of byproduct, source, or special nuclear waste materials as defined in regulations or orders of the Commission;

D. The disposal of such other byproduct, source or special nuclear material as the Commission from time to time determines by regulation or order should, because of the hazards or potential hazards thereof, not be so disposed of without a license from the Commission.

ARTICLE III. Notwithstanding this Agreement, the Commission may from time to time by rule, regulation, or order, require that the manufacturer, processor, or producer of any equipment, device, commodity, or other product containing source, byproduct, or special nuclear material shall not transfer possession or control of such product except pursuant to a license or an exemption from licensing issued by the Commission.

ARTICLE IV. This Agreement shall not affect the authority of the Commission under subsection 161 b. or i. of the Act to issue rules, regulations, or orders to protect the common defense and security, to protect restricted data or to guard against the loss or diversion of special nuclear material.

ARTICLE V. The Commission will use its best efforts to cooperate with the State and other Agreement States in the formulation of standards and regulatory programs of the State and the Commission for protection against hazards of radiation and to assure that State and Commission programs for protection against hazards of radiation will be coordinated and compatible. The State will use its best efforts to cooperate with the Commission and other Agreement States in the formulation of standards and regulatory programs of the State and the Commission for protection against hazards of radiation and to assure that the State's program will continue to be compatible with the program of the Commission for the regulation of like materials. The State and the Commission will use their best efforts to keep each other informed of proposed changes in their respective rules and regulations and licensing, inspection, and enforcement policies and criteria, and to obtain the comments and assistance of the other party thereon.

ARTICLE VI. The Commission and the State agree that it is desirable to provide for reciprocal recognition of licenses for the materials listed in Article I licensed by the other party or by any Agreement State. Accordingly, the Commission and the State agree to use their best efforts to develop appropriate rules and regulations, and procedures by which such reciprocity will be accorded.

ARTICLE VII. The Commission, upon its own initiative after reasonable notice and opportunity for hearing to the State, or upon request of the Governor of the State, may terminate or suspend this agreement and reassert the licensing and regulatory authority vested in it under the Act if the Commission finds that such termination or suspension is required to protect the public health and safety.

ARTICLE VIII. This agreement shall become effective on January 1, 1968, and shall remain in effect unless, and until such time as it is terminated pursuant to Article VII.

Done at _____, in triplicate, this _____ Day of _____.

FOR THE U.S. ATOMIC ENERGY COMMISSION

FOR THE STATE OF COLORADO

FOREWORD

This document includes a résumé of past activities and accomplishments by the Colorado State Department of Public Health in control of ionizing radiation for the protection of the public health. Proposed programs and facilities are presented for the assumption of additional responsibilities with respect to sources of ionizing radiation as well as supporting information on authority, regulation, organization, and resources.

The Governor, on behalf of the State of Colorado, is authorized to enter into an agreement with the Federal Government providing for the State to assume certain responsibilities with respect to ionizing radiation. This authority is granted in section 66-26-2 Colorado Revised Statutes, 1963, annotated Volume 9 (181 CSL 1965).

The AEC is authorized to enter into an agreement with the governor of a State whereby the Commission may transfer to the State certain licensing and regulatory control of byproduct material, source material, and special nuclear material in quantities not sufficient to form a critical mass. This authority is found in section 274b of the Atomic Energy Act of 1954 as amended.

Colorado has accomplished a number of pioneering activities in managing ionizing radiation. They were the leaders in studying and controlling radiation exposures in uranium mines. The first continuous State air monitoring program was established by the Colorado State Department of Public Health. Now, leadership in the promotion of the peaceful uses of atomic energy is designed to be consistent with the protection of the public and occupational health.

HISTORY

In 1949, problems created by the expanding uranium mining and milling industry demanded a large portion of the occupational health program of the Colorado State Health Department. Support from other agencies in this program permitted the purchase of equipment and provided training to State personnel, both formal and in-service,

that otherwise was unavailable. It was at this time that radiation activities were started in Colorado.

The activities of the occupational health program continued to expand, and in 1963, the Occupational and Radiological Health Division was formed consisting of three sections: (1) Radiological Health, (2) Occupational Health, and (3) Air Pollution. In January of 1967, the name of the division was changed to the Air, Occupational, and Radiation Hygiene Division, with the Radiological Health Section being renamed the Radiation Hygiene Section. The following activities relate the more significant developments in the history of the Radiation Hygiene Section.

Uranium mining and milling. In 1949, full scale studies of health hazards in uranium mines were undertaken by the State Health Department in cooperation with the U.S. Public Health Service. These studies developed into a program consisting of analysis for Radon and Radon daughters, 226_{Ra}, 210_{Po}, and other naturally occurring nuclides. The results of these studies were applied to establish adequate ventilation facilities to limit radon daughter concentrations in mine atmospheres to accepted standards. In 1960 the Department trained Colorado Bureau of Mines' technicians to do this work; however, current activities are still maintained in training, calibration of equipment, evaluation of the Bureau of Mines program, consultation to industry, and research.

X-Ray survey program. A limited program for surveying X-ray machines was started in 1957. Rules and regulations requiring registration of sources of ionizing radiation were promulgated by the Colorado State Board of Health in 1959.

Following this requirement of registration, the Department initiated a dental radiological health program by mailing the specially prepared Surpak film kit to all dentists in the Denver Metropolitan area. This survey was conducted with the cooperation of the Colorado Dental Association and the U.S. Public Health Service (U.S.P.H.S.). A total of 643 dental X-ray units were evaluated in this manner, and corrections in filtration and collimation were made by the individual dentist as needed.

Comprehensive physical surveys of dental and all other diagnostic X-ray installations began in 1962 using procedures approved by the U.S.P.H.S. Also during this period, State radiological health specialists assisted in training selected local health department personnel in the survey procedures. As a result of this training, the organized local health departments gave invaluable assistance in completing the program in their respective areas.

The continuing program encompasses physical surveys of X-ray units in the healing arts and in industry with written reports on each survey submitted to the individual in charge of the installation. NCRP standards and recommendations as published in NBS Handbooks 76 and 93 are used in all procedures.

Approximately 1,500 medical X-ray units and 1,230 dental X-ray machines have been surveyed out of a total of 2,800 registered units in the State. Results indicate that 95 percent of the dental units and 70 percent of the medical machines and facilities are in physical compliance at this time. This degree of compliance has been accomplished without the aid of rules and regulations specifying physical requirements. The program is now 97 percent completed with only a few X-ray installations in outlying areas that have not had an initial survey. Many of the installations have had more than one physical survey.

Radium control program. As previously mentioned, rules and regulations which were promulgated in 1959 required sources of ionizing radiation including radium sources to be registered with the Department. There are 33 registered installations in Colorado that use radium sealed sources, and all have had complete storage area surveys and tests made for leakage contamination. All of these installations are in compliance with standards recommended in NBS Handbook 73. The Department provides assistance to radium users in the proper disposal of unwanted or leaking sources.

Environmental surveillance. An air surveillance program was established as early as 1954 and was conducted by the Colorado State Health Department until joining the Public Health Service surveillance network in 1957. Currently, participation is maintained in two national surveillance networks and one standby project. The mechanism for expanding surveillance as the need arises has been established as part of the emergency monitoring program. A State milk monitoring program is being conducted and a summary of these activities is published periodically in "Radiological Health Data." Additional surveillance is conducted on food, water, and other materials. Another phase of this project is human evaluation by in vivo counting of human thyroids for 131_I and whole body counting for 137_{Cs} on a selected population group.

Activities in this program are expanding rapidly. Collection of background data and continuing environmental surveillance are currently being planned and organized to measure the environmental effects of nuclear power facilities to be constructed in Colorado. Specific surveillance has been done and is planned in the future to determine levels of radioactivity in the ambient air in selected communities in Colorado. Projects such as "Gasbuggy" and the proposed use of nuclear energy for oil shale recovery in northwest Colorado indicate a busy future for this program.

Whole body counting facility. In 1961, the Whole Body Counting Facility was completed and put into operation. Activities of the Whole Body Counter have been described briefly above, particularly regarding surveillance. Additional activities involve adapting whole body counting techniques to evaluation of internal depositions resulting from the use of radioactive materials. The adaptability of the instrumentation of the Whole Body Counter to other aspects of radiological health programs has improved the capabilities of the Division in rapid evaluation and accuracy of measurement.

Uranium mill tailings. Pursuant to enabling legislation, the Board of Health promulgated regulations concerning the stabilization of uranium mill tailing piles. In implementing the purpose of these regulations all inactive uranium mill tailing piles have been surveyed by the companies and plans submitted for stabilization along with a schedule for completion. In January 1967, one pile was completely stabilized and control of one additional pile has been started. Colorado assumed leadership in adoption of these regulations to prevent potential long-range contamination of the environment.

Training. Because of a close association with local health departments, training courses have been provided to technical personnel in local areas to better coordinate radiological health activities on a local level. This is a continuing program and it has succeeded in increasing the capabilities of additional people in radiological health. Staff members are active in various professional societies concerned with radiation and have established an educational program in radiological health through the news media and lectures to various interested groups.

Radioactive materials. All radioactive material, except naturally occurring and accelerator-produced radionuclides, is under the jurisdiction of the U.S. Atomic Energy Commission. Staff members began to accompany AEC inspectors on inspections of AEC licensees in 1957. In recent years, members of the Radiation Hygiene Section have participated in a cross-section of byproduct licensee inspections.

Research. Research became a part of the program very early, primarily on the uranium mining and milling problems. More recently, research projects involved other studies such as "131_I Metabolism", radium surveillance and radon progeny inhalation studies in cooperation with Colorado State University. Several reports on these studies were published in various journals.

Emergency procedures. The Health Department has maintained a program for handling radiological emergencies and accidents in cooperation with law enforcement and other local and State official agencies throughout the State since 1959. This program is currently being reorganized to increase capabilities in this area as well as provide capabilities at the local level in the case of an emergency.

The Radiation Hygiene Section, which is responsible for the program, will coordinate the program so that when and if an emergency does occur a systematic procedure can be followed, including rapid communications to the correct people and preparedness of a specific medical facility with emergency transportation, if needed. Emergency communications and transportation will be provided by the Colorado State Patrol and through local authorities. The Section is equipped with adequate instrumentation for evaluation of an incident. In addition, assistance is available through the Region VI Radiological Team of the U.S. Atomic Energy Commission.

ORGANIZATION AND RESPONSIBILITY

The State government and health department organization for the purpose of regulation of sources of ionizing radiation is illustrated in Chart 1 in the appendix.

The Radiation Advisory Committee is appointed by the governor and consists of nine members representing industry, the healing arts, and educational institutions. This committee provides evaluation, review and guidance to the Department on all aspects of the radiological health program. Its present membership is shown in the appendix.

The Colorado State Department of Public Health will regulate the use of all sources of ionizing radiation except those which it may exempt or which are under the jurisdiction of the Federal Government. This function rests in the Radiation Hygiene Section.

The Colorado Division of Commerce and Development and the State Department of Natural Resources are active in the promotion and development of nuclear energy. The health department works with these two agencies so that regulation and control will in no way interfere with development unless there is a question regarding the safety aspects of a particular operation.

The Department works very closely with the Industrial Commission, particularly regarding occupational disease disability claims arising from exposure to ionizing radiation. Also, a cooperative program with the Colorado Bureau of Mines has been developed for the control of radiation exposure in the mining industry. The accomplishments of this joint program have been noteworthy and provided leadership among all Western States.

DEPARTMENT AND STAFF ORGANIZATION

The Radiation Hygiene Section is one of three sections in the Air, Occupational, and Radiation Hygiene Division—the others being Air Hygiene and Occupational Health. The Air, Occupational, and Radiation Hygiene

Division is one of 11 in the State Health Department. Close liaison with other divisions within the State Health Department is maintained where associated programs involve radiological health aspects. Among these are the Engineering and Sanitation Division, the Water Pollution Control Division, the Hospital and Nursing Home Division, the Tuberculosis Section of the Preventive Medical Services Division, and the Dental Health Section of the Special Health Services Division.

Legal services are provided by the State attorney general's office and a staff attorney in the health department. Biostatistics, data processing, and vital statistics are provided by the Records and Statistics Section of the Administrative Services Division of the State Health Department.

The program of the Radiation Hygiene Section includes the regulation of sources of ionizing radiation, whole body counting, environmental monitoring, consultative services, and applied research.

In addition to the Section Chief, the Radiation Hygiene Section is comprised of four professional employees. One of these, the public health physicist, will have primary responsibility for the Whole Body Counting facility. In order to maintain maximum flexibility, primary responsibilities for the remainder of the program (e.g., licensing and registration, inspection and compliance, environmental monitoring, consultative services, and applied research) may be rotated among the other three members of the staff. Supervision and administration of the radiological health program are provided by the division director and section chief. Current staff qualifications are shown in the attachment. Future replacements and additions to the staff will be similarly qualified.

Although local health departments will not participate directly in the agreement materials program, trained personnel from these units will continue to assist by conducting over 60 percent of the X-ray surveys in the State.

In unusual situations, industrial hygienists on the occupational health staff are trained and available to assist the Radiation Hygiene Section in radiological health activities.

REGULATORY PROCEDURES AND POLICY

Licensing and registration. The Colorado radiation control program extends to all sources of radiation. The regulations require licensing of all radioactive materials and registration of all radiation-producing machines except such sources as may be specifically exempted from these requirements in accordance with the regulations

Licensing procedures and criteria will be consistent with those of the Atomic Energy Commission as provided in Part III of the State of Colorado Rules and Regulations Pertaining to Radiation Control.

General licenses are effective by regulation without the filing of applications with the Department or the issuance of licensing documents. General licenses are issued for specified materials under specified conditions when it is determined that the issuance of specific licenses is not necessary to protect the public and occupational health and safety. Specific licenses or amendments thereto are issued upon review and approval of an application. A specific licensing document will be issued to named persons and will incorporate appropriate conditions and expiration date. Prelicensing inspections will be conducted when appropriate.

The Department, when it determines such to be appropriate, will request the advice of the Radiation Advisory Committee, or appropriate members thereof, with respect to any matter pertaining to a license application, or to criteria for reviewing applications.

All applications for nonroutine medical uses of radioactive materials will be referred for advice and consultation to those members of the Radiation Advisory Committee who have appropriate training and experience in nonroutine human uses of radioactive materials. Appropriate research protocols will be required as part of an application. The Department will maintain knowledge of current developments, techniques and procedures for medical uses applicable to the licensing program through continuing contact and information exchange with the U.S. Atomic Energy Commission and other Agreement States.

The registration program will be a continuation of the current activity except that (a) all radiation machines will be subject to the applicable provisions of Part IV of the regulations and (b) radium and accelerator-produced radionuclides which were formerly registered must now be licensed.

Inspection. Inspections for the purpose of evaluating radiation safety and determining compliance with appropriate regulations and provisions of licenses will be conducted as needed.

Inspection frequency will be based upon the extent of the hazard-potential and experience with the particular facility. It is expected that all specific licensees will be inspected at least once each 2-year period. The following frequency is anticipated:

Use of classification	*Usual inspection frequency*
Industrial radiography:	
Fixed installations	Once each 12 months.
Mobile operations	Once each 6 months.
All commercial waste operations.	Once each 6 months.
Broad licenses—industrial, medical, or academic.	Once each 6–12 months.
Other specific licenses—industrial, medical, or academic.	Once each 12–24 months.

Inspections will be made by prearrangement with the licensee or may be unannounced at reasonable times, as the Department, in its judgment, determines to be most constructive. Consultation visits will be made frequently in the early years of the licensing and compliance program in order to establish understanding and cooperation.

Inspections will include the observation of pertinent facilities, operators, and equipment; a review of use procedures, radiation safety practices, and user qualifications; a review of records of radiation surveys, personnel exposure, and receipt and disposition of licensed materials—all as appropriate to the scope and conditions of the license and applicable regulations. In addition, independent measurements will be made as appropriate.

At the start and conclusion of an inspection, personal contact will be made at management level whenever possible. Following the inspections, results will be discussed with the licensee management.

Investigations will be made of all reported or alleged incidents to determine the conditions and exposures incident thereto and to determine the steps taken for correction, cleanup, and the prevention of similar incidents in the future.

Radiological assistance in the form of monitoring, liaison with appropriate authorities and recommendations for area security and cleanup will be available from the Department.

Reports will be prepared covering each inspection or investigation. The reports will be reviewed by the Radiation Hygiene Section Chief.

Compliance and enforcement. The status of compliance with regulations, registration, or license conditions will be determined through inspections and evaluations of inspection reports.

When there are items of noncompliance, the licensee will be so informed at the time of inspection. When the items are minor and the licensee agrees at the time of inspection to correct them, written notice at the completion of the inspection will list the items of noncompliance, confirm corrections made at the time, and inform the person that a review of other corrective action will be made at the next inspection.

Where items of noncompliance of a more serious nature occur, the licensee will be informed by letter of the items of noncompliance and required to reply within a stated time as to the corrective action taken and the date completed. Assurance of corrective action will be determined by a followup inspection or at the time of the next regular inspection.

Upon request by the licensee, the terms and conditions of a license may be amended, consistent with the Act or regulations, to meet changing conditions in operations or to remedy technicalities of noncompliance of a minor nature. The Department may amend, suspend, or revoke a license in the event of continuing refusal of the licensee to comply with terms and conditions of the license, the Act, or regulations or failure to take adequate action concerning items of noncompliance. Prior to such action, the Department shall notify the licensee of its intent to amend, suspend or revoke the license and provide the opportunity for a hearing.

The Department will use its best efforts to attain compliance through cooperation and education. Only in instances where real or potential hazards exist, or cases of repeated noncompliance or willful violation will the full legal procedures normally be employed.

Where the Department finds that the licensee has been guilty of deliberate and willful violation, or that the public health, safety, or welfare imperatively requires emergency action, and incorporates such findings in its order, it may institute revocation proceedings without giving notice and summarily suspend the license pending proceedings for revocation which shall be promptly instituted and determined upon request of any interested person.

In the event of an emergency relating to any source of ionizing radiation which endangers the public peace, health or safety, the Department shall have the authority to issue such orders for the protection of the public health and safety as may be appropriate, including orders to lay an embargo upon or impound radioactive materials and other sources of ionizing radiation in the possession of any person who is not equipped to observe the provisions of the Act or any rules or regulations promulgated thereunder.

Effective date of license transfer. Any person who, on the effective date of the agreement with the Atomic Energy Commission, possesses a license issued by the Federal Government shall be deemed to possess a like license issued under Chapter 181, Colorado Session Laws 1965 which shall expire either 90 days after the receipt from the Department of a notice of expiration of such license, or on the date of expiration specified in the Federal license, whichever is earlier.

Administrative procedures and judicial review. The basic standards of procedure for administrative agencies in the State of Colorado are set by the rules of procedure required by Colorado law with respect to hearings, issuance of orders, and judicial review of findings, and order of the Colorado State

Board of Health (Chapter 3, Article 16, CRS 1963). These rules provide for:

1. Due notice to interested persons and opportunity to present data or views either orally or in writing prior to the adoption, amendment, or repeal of any rule.

2. Adoption or amendment of rules in emergency situations without observance of the normal requirements of notice and hearing, upon a finding by the Department that immediate action is necessary for the preservation of the public health, safety, or general welfare.

3. Petition to the Department requesting the promulgation, amendment, or repeal of any rule.

4. Declaratory judgment procedure available on petition by proper party to determine validity of statute, rule or final decision of Department. (Chapter 77, Article II, CRS 1963.)

5. Right to hearing after reasonable notice in a case in which legal rights, duties or privileges of specific parties are required by law or constitutional right to be determined.

6. Judicial review in the district court by any person aggrieved by a final decision of the Department, and appeal to the State supreme court for review of a final judgment of the district court.

Compatibility and reciprocity. In promulgating rules and regulations, the Department has, insofar as practicable, avoided requiring dual licensing and has provided for reciprocal recognition of other State and Federal licenses.

Routine staff meetings will be conducted involving all members of the division who are involved with the radiological health program to determine and maintain compatible programs with the U.S. Atomic Energy Commission and other Agreement States. Periodic internal evaluation exercises will be conducted concerning all phases of the program. Written reports, inspection reports, records and statistics will be compatible with the current Atomic Energy Commission program.

R. J. REECE

DIRECTOR, DIVISION OF AIR, OCCUPATIONAL AND RADIATION HYGIENE

Education and Training:
- M.D. University of Kansas, 1949.
- Interneship, University of Kansas, 1950.
- M.P.H., Harvard, 1954.
- Medical Management of Radiation Accidents, USPHS.
- Radiological Health for Physicians, USPHS.
- Orientation course in Practices and Procedures of Licensing and Regulation, AEC.
- Basic Civil Defense, FCDA.
- Numerous meetings and short courses in radiological health.

Experience and Related Activities:
- Preventive Medicine Officer, U.S. Army, 1951–52.
- Local Health Officer, Kansas, 1950–51, 1952–53, 1954–55.
- Director of Local Health Services Division, Colorado State Department of Public Health (including Industrial Hygiene Section and radiological health program), 1955–62.
- Director of Occupational and Radiological Health Division, Colorado State Department of Public Health, 1962–67.
- Director, Colorado Civil Defense Health Section, 1955–61.
- Member, USPHS Medical Liaison Officer Network in Radiological Health.
- Member, American Medical Association, American Industrial Medical Association, American Public Health Association.
- Lecturer in Radiological Health, Colorado State University.
- Investigator in several AEC and USPHS radiation research projects.

P. W. JACOE

CHIEF OF THE RADIATION HYGIENE SECTION OF COLORADO STATE DEPARTMENT OF PUBLIC HEALTH

Education and Training:
- B.S. Chemistry and Physics, University of Colorado, 1930.
- Civil Defense Monitoring, FDA.
- Basic Radiological Health, USPHS.
- Medical X-Ray Protection, USPHS.
- Radiation Surveillance, Nevada Test Site.
- Radiation Monitoring, USPHS, Salt Lake City.
- AEC orientation cource in Practices and Procedures of Licensing and Regulation, Bethesda.
- Management, Development, and Decision Making, University of Denver.
- Program Planning, University of Oklahoma.
- Numerous short courses in radiological health and industrial hygiene.

Experience and Related Activity:
- Colorado Department of Public Health: Industrial Hygienist, 1947–54.
- Chief, Industrial Hygiene Section (including Radiological Health) 1954–63.
- Chief, Radiological Health Section, 1963–present.
- Responsibility for administration of the radiation control program.
- Chief of Radiological Defense, Colorado Civil Defense Agency.
- Past member N7–1 Committee of American Standards Association on Uranium and Thorium Mining and Milling.
- Past Member Committee on Ionizing Radiation, American Conference of Governmental Industrial Hygienists.
- President, Rocky Mountain Section of American Industrial Hygiene Association.
- Lecturer, University of Denver and Colorado State University.
- Coinvestigator on various research projects.
- Several publications.

ROBERT D. SIEK

SENIOR RADIOLOGICAL HEALTH SPECIALIST

Education and Training:
- B.S. in Sanitary Sciences, University of Denver, 1957.
- M.P.H. in Industrial Hygiene, University of Michigan, 1961.
- U.S.P.H.S. Training Courses:
  - Medical X-Ray Protection, CSDPH, 1964.
  - Basic Radiological Health, CSDPH, 1963.
  - Management of Radiation Emergencies and Accidents, USPHS, Montgomery, Ala.
- U.S.A.E.C. Training Courses:
  - Fundamentals of Radiological Health and Safety (9-month extension course), University of Denver, 1963–64.
  - Orientation in Practices and Procedures of Licensing and Regulation, Bethesda, Md., 1966.

Experience and Related Activity:
- Pueblo City-County Health Department, 1957–60.
  - Responsibility of industrial hygiene and radiation protection program at the local level. Program was conducted under the supervision of a State Health Department industrial hygienist.
- Colorado State Department of Public Health, 1961–present.
  - Responsibility for promotion, training of personnel, and direct service of industrial hygiene and radiological health programs on a district basis throughout the State. Assists section chief on program planning and evaluation and represents him as requested in technical and administrative functions.

ALBERT J. HAZLE

RADIOLOGICAL HEALTH SPECIALIST

Education and Training:
- B.S. in Agriculture, Colorado State University, 1956.
- Graduate work in Physiology, Colorado State University, 1960.
- U.S.P.H.S. Training Courses:
  - Basic Radiological Health, CSU, 1962.
  - Medical X-Ray Protection, CSDPH, 1964.
  - Occupational Radiation Protection, Taft, 1965.
- U.S.A.E.C. Training Courses:
  - Fundamentals of Radiological Health and Safety (9-month extension course), University of Denver, 1963–64.
  - Orientation in Practices and Procedures of Licensing and Regulation, Bethesda, 1965.
  - Applied Health Physics Course, ORINS, 1967.
- Civil Defense Course:
  - Radiological Monitoring Training Course, Denver, 1963
  - Civil Defense for Food and Drug officials, FDA, Denver, 1964.

Experience and Related Activity:
- Jefferson County Health Department, 1961–65.
  - Performance and supervision of radiation protection programs in the healing arts and industry. Participant with AEC in inspection of licensed users of radioactive materials in the county. Represent department director as directed in cooperative program planning and in liaison function.
- Colorado State Department of Public Health, 1965–present.
  - Performance of radiation protection programs in the healing arts and industry radiation cource registration program, surveillance and emergency service programs. Assists section chief in program planning and development of rules and regulations. Participates in joint research projects with Colorado State University on uranium miners and radon exposure. Participates in AEC inspections of licensed users of radioactive materials. Previous operator of the Whole Body Counting Facility.

JOHN K. EMERSON

RADIOLOGICAL HEALTH SPECIALIST

Education and Training:
- D.V.M., Colorado State University, 1950.
- Graduate work, one full academic year's training in Radiological Health and Radiation Biology, PHS fellowship, Colorado State University, 1964–65.
- U.S.A.E.C. Training Courses:
  - Orientation in Practices and Procedures of Licensing and Regulation, Bethesda, 1966.
  - Applied Health Physics Course, ORINS, 1967.

Experience and Related Activity:
- County Health Officer, Bent County, Colorado, 1950–60.
- Colorado State Department of Public Health, 1965–present.
  - In charge of X-ray and radium registration and survey program. Participates in AEC inspections of licensed users of radioactive materials.

Other:
- Fifteen years practice experience in veterinary medicine.
- U.S. Army Veterinary Corps Reserve, 1950–55.

ARVIN LOVAAS

PUBLIC HEALTH PHYSICIST

Education and Training:
- B.S., Chemistry Major, Wisconsin State College at River Falls, 1953.
- M.S. in Radiation Biology (Radiological Physics Fellowship Program), University of Rochester, 1956.

Experience and Related Activity:
University of Rochester, AEC Project, Technical Assistant in Radiation Biology, 1956–66.
Work mainly involved analysis of environmental and biological samples for radioactive materials, primarily radium, thorium, and/or their products. Assisted in student labs.
Colorado State Department of Public Health, 1966–present.
Operator of Whole Body Counting Facility.

RAY A. BRENNAN (PART TIME)

CHIEF, OCCUPATIONAL HEALTH SECTION

Education and Training:
A.B. Chemistry, University of Denver, 1950.
Chemistry and Math, University of Colorado, 1948.
U.S.P.H.S. Training Courses:
Two-week course in Occupational Health and Radiological Health.
Comprehensive course on Atmospheric Particulate Survey Techniques, Colorado State University, 1962.
U.S.A.E.C. Training Course:
Radiological Health and Safety, University of Denver (10-week equivalent), 1963–64.
Civil Defense Courses:
Radiological Monitoring Training Course, Denver, 1963.
Civil Defense for Food and Drug Officials, FDA, Denver, 1964.
Experience and Related Activity:
Colorado Department of Public Health:
Occupational Health Chemist and Industrial Hygienist, 1952–60.
Senior Industrial Hygienist, 1960–66.
Principal Industrial Hygienist, 1966–present.
Six weeks active duty with U.S.P.H.S. involved in off-site radiological monitoring at A.E.C. Nuclear Testing Grounds, Mercury, Nev., 1957.
Member, Colorado Public Health Association.
Member, American Conference of Governmental Industrial Hygienists.
Member, Rocky Mountain Section, American Industrial Hygiene Association.

ARVIN G. APOL (PART TIME)

SENIOR INDUSTRIAL HYGIENIST

Education and Training:
A.B. General Chemistry and Biology Major, Calvin College, Grand Rapids, Mich., 1953–57.
M.P.H. (Industrial Health), University of Michigan, 1964.
M.S. in Industrial Health (sponsored by U.S.P.H.S. Traineeship), University of Michigan, 1965.
Experience and Related Activity:
Colorado School of Mines Research Foundation, Golden, Colo., Chemist, 1957–58.
Colorado State Department of Public Health, 1960–present.

[F.R. Doc. 67–11918; Filed, Oct. 9, 1967; 8:48 a.m.]

DEPARTMENT OF COMMERCE

Business and Defense Services Administration

JOHNS HOPKINS UNIVERSITY

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89–651; 80 Stat. 897) and the regulations issued thereunder (32 F.R. 2433 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Scientific and Technical Equipment, Department of Commerce, Room 5123, Washington, D.C. 20230.

Docket No. 67–00137–33–46500. Applicant: The Johns Hopkins University, School of Medicine, Department of Anatomy, 725 North Wolfe Street, Baltimore, Md. 21205. Article: Ultramicrotome "Om U2" Sidea. Manufacturer: C. Reichert Optishhe Werke A.G., Austria. Intended use of article: The article will be used in a research program to analyze patterns of interconnection amongst nerve cells in mammalian cerebral cortex. This instrument will provide serially cut sections for microscopic examination. Comments: No comments have been received regarding this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, is being manufactured in the United States. Reasons: Applicant requires an instrument capable of producing long series of uniform sections of mammalian cerebral cortex, with consistent accuracy and uniformity. In addition, the instrument must be designed to permit the interruption of the series in order to produce sections of different preset thicknesses with precision, and then continue the series of sections without any loss of specimen material and without the need for realigning either the specimen or the knife. The foreign article employs a thermal advance (or feed) which provides the required capability. (See catalogue on Reichert Om U2.) The only comparable domestic instrument, Model MT–2 ultramicrotome manufactured by Ivan Sorvall, Inc., employs a mechanical advance (catalogue on Sorvall Models MT–1 and MT–2 ultramicrotomes). In the case of a prior application relating to an identical foreign article, we were advised by the Department of Health, Education, and Welfare (HEW), that in the experience of experts working with biological materials, ultramicrotomes equipped with a thermal feed have been proven superior to ultramicrotomes that are equipped only with a mechanical feed. (See Docket No. 67–00052–33–46500 and memorandum from HEW dated July 26, 1967, contained therein.) In cited memorandum, HEW also advised that consistent reproducibility of section thickness is substantially greater when the thermal advance is used, than when the advance is achieved through purely mechanical means. We therefore find that differences in the design of the feed mechanisms between the foreign article and the Sorvall Model MT–2 are pertinent characteristics.

For the foregoing reasons, we find that the Sorvall Model MT–2 is not of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, which is being manufactured in the United States.

CHARLEY M. DENTON,
Director, Office of Scientific and Technical Equipment, Business and Defense Services Administration.

[F.R. Doc. 67–12207; Filed, Oct. 16, 1967; 8:45 a.m.]

NORTHERN ILLINOIS UNIVERSITY

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89–651; 80 Stat. 897) and the regulations issued thereunder (32 F.R. 2433 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Scientific and Technical Equipment, Department of Commerce, Room 5123, Washington, D.C. 20230.

Docket No. 67–00087–33–46040. Applicant: Northern Illinois University, De Kalb, Ill. 60115. Article: Electron Microscope Model JEM–T7, with Cooling Trap Model ACS–2 and Film Accessory A–35–2. Manufacturer: Japan Electron Optics Laboratory Co., Ltd., Japan. Intended use of article: Teaching and elementary research. Comments: Comments were received from one domestic manufacturer, Radio Corporation of America (RCA), which alleges inter alia that "The RCA Model EMU–4 Electron Microscope is of equivalent scientific value to the instrument and accessories for which duty-free entry has been requested for the purposes stated in the application for which the instrument is intended to be used." (See comments of RCA dated June 22, 1967, par. (3).) Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, is being manufactured in the United States. Reasons: The foreign article is intended to be used for teaching and elementary research. For these purposes, the applicant requires a relatively simple instrument which will serve as an introduction to the operation of the more sophisticated instruments which are intended for advanced research, such as the RCA Model EMU–4. The foreign article is a medium-size electron microscope which provides only one accelerating voltage. The foreign article is less sophisticated than the RCA Model EMU–4 and is easier to operate by individuals who have not mastered the techniques of electron microscopy. In addition, the foreign article has a semiautomatic vacuum

valving system which permits teaching students in the techniques of vacuum phasing. The RCA Model EMU–4 has a completely automatic system which is not suitable for this purpose. Since the foreign article is intended to be used for teaching, which properly includes instructions on the principles of electron microscope design and operation, the RCA Model EMU–4 would tend to become an obstacle to attaining the purposes for which the foreign article is intended to be used.

For the foregoing reasons, we find that the RCA Model EMU–4 is not of equivalent scientific value to the foreign article for the purposes for which such article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, which is being manufactured in the United States.

CHARLEY M. DENTON,
Director, Office of Scientific and Technical Equipment, Business and Defense Services Administration.

[F.R. Doc. 67–12208; Filed, Oct. 16, 1967; 8:45 a.m.]

DEPARTMENT OF AGRICULTURE ET AL.

Notice of Applications for Duty-Free Entry of Scientific Articles

The following are notices of the receipt of applications for duty-free entry of scientific articles pursuant to section 6(c) of the Educational, Scientific and Cultural Materials Importation Act of 1966 (Public Law 89–651; 80 Stat. 897). Interested persons may present their views with respect to the question of whether an instrument or apparatus of equivalent scientific value for the purposes for which the article is intended to be used is being manufactured in the United States. Such comments must be filed in triplicate with the Director, Office of Scientific and Technical Equipment, Business and Defense Services Administration, Washington, D.C. 20230, within 20 calendar days after date on which this notice of application is published in the FEDERAL REGISTER.

Regulations issued under cited act, published in the February 4, 1967 issue of the FEDERAL REGISTER, prescribe the requirements applicable to comments.

A copy of each application is on file, and may be examined during ordinary Commerce Department business hours at the Office of Scientific and Technical Equipment, Department of Commerce, Room 5123, Washington, D.C.

A copy of each comment filed with the Director of the Office of Scientific and Technical Equipment must also be mailed or delivered to the applicant, or its authorized agent, if any, to whose application the comment pertains; and the comment filed with the Director must certify that such copy has been mailed or delivered to the applicant.

Docket No. 68–00123–33–46040. Applicant: U.S. Department of Agriculture, Agricultural Research Service, Animal Disease and Parasite Research Division, Agricultural Research Center, Beltsville, Md. 20705. Article: Electron Microscope EM–200. Manufacturer: N. V. Philips, The Netherlands. Intended use of article: Applicant states:

> The electron microscope will be used to determine in detail the ultrastructure of anaplasma marginale, the etiological agent of anaplasmosis of cattle. * * *
>
> * * * the subject instrument is to be used in the research program of the anaplasmosis work to:
>
> a. Determine the cyclic developments of the agent causing anaplasmosis in the definitive host and arthropod vectors and to correlate their presence with the infectivity of the various tissues.
>
> b. Determine the size, shape, and complete morphology of the stages of the parasite, and to correlate these forms with the pathological and immunological characteristics of the disease.

Application received by Commissioner of Customs: September 12, 1967.

Docket No. 68–00126–85–14040. Applicant: The Ohio State University, 190 North Oval Drive, Columbus, Ohio 43210. Article: Stereocomparator, Model D–PSK Precision Stereocomparator No. 516376 with accessory equipment. Manufacturer: Carl Zeiss, West Germany. Intended use of article: Applicant states: "This instrument is intended to be used in the instruction of graduate students in advanced photogrammetry." Application received by Commissioner of Customs: September 12, 1967.

Docket No. 68–00127–33–46040. Applicant: University of Colorado, Medical Center, 4200 East Ninth Avenue, Denver, Colo. 80220. Article: Electron Microscope, Norelco Model EM–200 with Decontamination Device. Manufacturer: N. V. Philips, Gloeilampenfabrieken, The Netherlands. Intended use of article: The article will be used for basic research of fine structure in the areas of: Photoreceptors of vertebrate and invertebrate eyes; contractile proteins of muscle; various types of pigment cells; and studies of the reproduction of various types of virus. Application received by Commissioner of Customs: September 13, 1967.

Docket No. 68–00128–01–77040. Applicant: University of Illinois, 223 Administration Building, Urbana, Ill. 61801. Article: Mass Spectrometer, Model RMU–6E. Manufacturer: Hitachi Perkin-Elmer, Japan. Intended use of article: Applicant states: "This instrument will be used to determine the fragmentation pattern of various organic compounds, under controlled conditions." Application received by Commissioner of Customs: September 13, 1967.

CHARLEY M. DENTON,
Director, Office of Scientific and Technical Equipment, Business and Defense Services Administration.

[F.R. Doc. 67–12209; Filed, Oct. 16, 1967; 8:45 a.m.]

CEDARS RESEARCH INSTITUTE ET AL.

Notice of Applications for Duty-Free Entry of Scientific Articles

The following are notices of the receipt of applications for duty-free entry of scientific articles pursuant to section 6(c) of the Educational, Scientific and Cultural Materials Importation Act of 1966 (Public Law 89–651; 80 Stat. 897). Interested persons may present their views with respect to the question of whether an instrument or apparatus of equivalent scientific value for the purposes for which the article is intended to be used is being manufactured in the United States. Such comments must be filed in triplicate with the Director, Office of Scientific and Technical Equipment, Business and Defense Services Administration, Washington, D.C. 20230, within 20 calendar days after date on which this notice of application is published in the FEDERAL REGISTER.

Regulations issued under cited act, published in the February 4, 1967 issue of the FEDERAL REGISTER, prescribe the requirements applicable to comments.

A copy of each application is on file, and may be examined during ordinary Commerce Department business hours at the Office of Scientific and Technical Equipment, Department of Commerce, Room 5123, Washington, D.C.

A copy of each comment filed with the Director of the Office of Scientific and Technical Equipment must also be mailed or delivered to the applicant, or its authorized agent, if any, to whose application the comment pertains; and the comment filed with the Director must certify that such copy has been mailed or delivered to the applicant.

Docket No. 68–00116–33–85700. Applicant: Cedars Research Institute, 4751 Fountain Avenue, Los Angeles, Calif. 90029. Article: Vascular Suturing Instrument and accessory equipment, type No. 5426C20–1. Manufacturer: De Havilland Aircraft of Canada, Ltd., Canada. Intended use of article: Applicant states: "The Vogelfanger Vascular Suturing Instrument is being used for the stapling or anastomosis of vessels in research animals along with everting techniques made possible by this kit." Application received by Commissioner of Customs: September 8, 1967.

Docket No. 68–00117–33–11700. Applicant: U.S. Department of Agriculture, Agricultural Research Service, Eastern Utilization Research and Development Division, 600 East Mermaid Lane, Philadelphia, Pa. 10118. Article: Automatic Smoking Machine. Manufacturer: Heinrich Borgwaldt, West Germany. Intended use of article: Complete elucidation of chemical composition of cigarette smoke condensate in large volumes. Application received by Commissioner of Customs: September 8, 1967.

Docket No. 68–00118–33–46040. Applicant: University of Mississippi Medical Center, 2500 North State Street, Jackson, Miss. 39216. Article: Electron Microscope EM9A. Manufacturer: Carl Zeiss, Inc., West Germany. Intended use of article:

For research projects requiring resolution no lower than 10–15 Å units; for teaching purposes in graduate and postdoctoral programs. Application received by Commissioner of Customs: September 11, 1967.

Docket No. 68–00120–33–46040. Applicant: New York University Medical Center, 550 First Avenue, New York, N.Y. 10016. Article: Electron Microscope EM–300 with 70-mm. film camera and Decontamination Device. Manufacturer: N. V. Philips Gloeilampenfabriken, The Netherlands. Intended use of article: High resolution studies of cell membrane structure and contact relationships in adult and embryonic nervous tissues and tissue fractions; comparative studies of the ultrastructure of smooth muscle and related types of muscle including examination of isolated myofilaments; histochemical studies of nerve and muscle tissues including examination of tissue sections in which the contrast of background detail has not been enhanced by heavy metals; autoradiographic studies of protein and nucleic acid synthesis in nerve and muscle cells. Application received by Commissioner of Customs: September 11, 1967.

CHARLEY M. DENTON,
Director, Office of Scientific and Technical Equipment, Business and Defense Services Administration.

[F.R. Doc. 67–12210; Filed, Oct. 16, 1967; 8:45 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

PENNSALT CHEMICALS CORP.

Notice of Filing of Petition for Food Additives

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition (FAP 3A1157) has been filed by Pennsalt Chemicals Corp., Three Penn Center, Philadelphia, Pa. 19102, proposing an amendment to paragraph (d) of § 121.1088 *Boiler water additives* to provide for the safe use of diethylaminoethanol as a boiler water additive in the preparation of steam that will contact food, subject to the limitations that the additive is not to exceed 25 parts per million in the steam and such steam is not to be used in contact with milk and milk products.

Dated: October 6, 1967.

J. K. KIRK,
Associate Commissioner for Compliance.

[F.R. Doc. 67–12260; Filed, Oct. 16, 1967; 8:49 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 18650; Order E–25828]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Agreement Relating to Specific Commodity Rates

Issued under delegated authority on October 11, 1967.

An agreement has been filed with the Board pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's Economic Regulations, between various air carriers, foreign air carriers, and other carriers, embodied in the resolutions of Traffic Conference 1 of the International Air Transport Association (IATA). The agreement has been assigned the above-designated CAB agreement number.

The agreement, adopted pursuant to unprotested notices to the carriers and promulgated in an IATA letter dated July 20, 1967, as set forth in the attachment hereto, (1) names new rates under presently effective descriptions, (2) names rates under new commodity descriptions, and (3) cancels a few rates the carriers found unproductive. The new rates reflect reductions ranging from 33 to 60 percent and are consistent with the present level of specific commodity rates within the applicable area.

Pursuant to authority duly delegated by the Board in the Board's regulations, 14 CFR 385.14, it is not found that the subject agreement is adverse to the public interest or in violation of the Act, provided that approval thereof is conditioned as hereinafter ordered.

Accordingly, it is ordered,

That Agreement CAB 19654, R–1, and R–3 through R–10,[1][2] be approved provided approval shall not constitute approval of the specific commodity descriptions contained therein for purposes of tariff publication.

Persons entitled to petition the Board for review of this order, pursuant to the Board's Regulations, 14 CFR 385.50, may file such petitions within 10 days after the date of service of this order.

This order shall be effective and become the action of the Civil Aeronautics Board upon expiration of the above period unless within such period a petition for review thereof is filed, or the Board gives notice that it will review this order on its own motion.

This order will be published in the FEDERAL REGISTER.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 67–12251; Filed, Oct. 16, 1967; 8:49 a.m.]

[1] R–2 involves rates not applicable in air transportation. The Board in Order E–21586 stated that it would not exercise jurisdiction over rates not applicable in air transportation. Hence, the Board will take no action with respect to Agreement CAB 19654, R–2.

[2] Filed as part of the original document.

[Docket No. 19063]

LUFTHANSA GERMAN AIRLINES

Notice of Prehearing Conference

Application for amendment of its foreign air carrier permit to engage in foreign air transportation with respect to persons, property, and mail as follows: "3. Between a point or points in Germany; the intermediate points Amsterdam, Netherlands; Brussels, Belgium; Paris, France; Manchester, England; Shannon, Eire; Gander, Newfoundland, Canada; New York, N.Y.; Montego Bay and Kingston, Jamaica; Bogota, Colombia; Quito and Guayaquil, Ecuador; Lima, Peru, and La Paz, Bolivia; and the terminal point Santiago, Chile."

Notice is hereby given that a prehearing conference in the above-entitled matter is assigned to be held on October 19, 1967, at 10 a.m., e.d.s.t., in Room 211, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before Examiner Leslie G. Donahue.

Dated at Washington, D.C., October 11, 1967.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F.R. Doc. 67–12252; Filed, Oct. 16, 1967; 8:49 a.m.]

MORRIS SHAPIRO ET AL.

Notice of Proposed Approval

Application of Morris Shapiro et al., for approval of control and interlocking relationships pursuant to sections 408 and 409 of the Federal Aviation Act of 1958, as amended, Docket 19034.

Notice is hereby given, pursuant to the statutory requirements of section 408(b), that the undersigned intends to issue the attached order under delegated authority. Interested parties are hereby afforded a period of 15 days from the date of service within which to file comments or request a hearing with respect to the action proposed in the order.

Dated at Washington, D.C., October 11, 1967.

[SEAL] A. M. ANDREWS,
Director, Bureau of Operating Rights.

ORDER APPROVING CONTROL RELATIONSHIPS

Issued under delegated authority.

Joint application of Morris Shapiro, Howard E. Kronick, Airways Parcel Post Service, Inc., Airways Air Freight International, Inc., and Click Messenger Service, Inc., for an order approving control of certain interests pursuant to section 408 of the Federal Aviation Act of 1958, as amended, and approval of interlocking relationships resulting therefrom pursuant to section 409 of the said Act; Docket 19034.

By joint application filed September 25, 1967, approval is requested, pursuant to section 408 of the Federal Aviation Act of 1958, as amended (the Act), of the Common control by Mr. Shapiro of Airways Parcel Post Service, Inc. (Service), Airways Air Freight, International (International), and Click Messenger Service, Inc. (Messenger). In addition, Mr. Shapiro and Mr. Kronick request approval under section 409 of the Act of the

interlocking relationships arising from their holdings of positions as officers and directors of the above three corporate applicants.

Mr. Shapiro has the controlling interest in each of the three companies, holding 97½ percent of the outstanding shares of stock of Service, 52 percent of that of International, and 100 percent of Messenger. Messrs. Shapiro and Kronick hold the following positions in these companies.

	Service	International	Messenger
Mr. Shapiro	President, Director	Secretary-Treasurer, Director.	President, Director.
Mr. Kronick	Vice President, General Manager, Director.	President, Director	Vice President, Secretary, Director.

International is an applicant for international air freight forwarder authority; Service is the holder of domestic air freight forwarder authority; and Messenger is authorized to perform a local motorized messenger service between New York City and Passaic, Bergen, and Essex Counties, N.J.

No comments relative to the joint application or requests for a hearing have been received.

Notice of intent to dispose of the application has been published in the FEDERAL REGISTER, and a copy of such notice has been furnished by the Board to the Attorney General not later than the day following the date of such publication, both in accordance with the requirements of section 408(b) of the Act.

Upon consideration of the joint application, we conclude that the common control by Mr. Shapiro of Service, International, and Messenger is subject to section 408 of the Act.

However, we further conclude that such control relationships do not affect a carrier directly engaged in the operation of aircraft in air transportation, do not result in creating a monopoly, and do not restrain competition. Furthermore, no person disclosing a substantial interest in the proceeding is currently requesting a hearing and it is found that the public interest does not require a hearing. The control relationships are similar to others which have been approved by the Board and do not present any new substantive issues.[1] It therefore appears that approval of the control relationships would not be inconsistent with the public interest.

We also find that interlocking relationships within the scope of section 409(a) of the Act will result from the holding by the individual applicants of the positions described herein. However, we have concluded that such relationships come within the scope of the exemption from the provisions of section 409 afforded by § 287.2 of the Board's economic regulations. Thus, to the extent that the application requests approval of such relationships, it will be dismissed.

Pursuant to authority duly delegated by the Board in the Board's regulations, 14 CFR 385.13 and 385.3, it is found that the foregoing control relationships should be approved under section 408(b) of the Act, without hearing, and that the application, to the extent that it requests approval of the aforementioned interlocking relationships, should be dismissed.

Accordingly, it is ordered:

1. That the common control of Service, International, and Messenger by Mr. Shapiro be and it hereby is approved; and

2. That, to the extent that approval of interlocking relationships is sought under section 409 of the Act, the application be and it hereby is dismissed.

[1] In Docket 8450, identical issues involving Mr. Shapiro, Service, Messenger, and Airways Parcel Post Service International, Inc., were presented and approved by the Board in Order E-11884, Oct. 16, 1957. Owing to the dormancy of Airways Parcel Post International, Inc., its international freight forwarder authority was revoked by the Board, in Order E-16135, Dec. 14, 1960.

Persons entitled to petition the Board for review of this order pursuant to the Board's regulations, 14 CFR 385.50, may file such petitions within 5 days after the date of service of this order.

This order shall be effective and become the action of the Civil Aeronautics Board upon expiration of the above period unless within such period a petition for review thereof is filed, or the Board gives notice that it will review this order on its own motion.

By A. M. Andrews
Director,
Bureau of Operating Rights.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 67-12253; Filed, Oct. 16, 1967; 8:49 a.m.]

[Docket No. 18734]

TRANSGLOBE AIRWAYS, LTD.

Notice of Hearing for Permit Amendment

Notice is hereby given pursuant to the Federal Aviation Act of 1958, as amended, that a hearing in the above-entitled proceeding is assigned to be held on November 14, 1967, at 10 a.m., e.s.t., in Room 911, Universal Building, 1825 Connecticut Avenue, Washington, D.C., before the undersigned.

For fuller information, interested persons are referred to the prehearing conference report served August 16, 1967, and the supplemental prehearing conference report served August 28, 1967, and other material contained in the docket of this proceeding on file with the Docket Section of the Civil Aeronautics Board.

Dated at Washington, D.C., October 11, 1967.

[SEAL] BARRON FREDRICKS,
Hearing Examiner.

[F.R. Doc. 67-12254; Filed, Oct. 16, 1967; 8:49 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[C-2295]

COLORADO

Notice of Classification of Public Lands for Multiple-Use Management; Amendment

OCTOBER 9, 1967.

The notice of classification appearing as F.R. Doc. 67-11505 on pages 13730-13731 of the issue for Saturday, September 30, 1967, is hereby amended as follows:

NEW MEXICO PRINCIPAL MERIDIAN, COLORADO

FREMONT COUNTY

Rincon Recreation Area C-083428

T. 49 N., R. 10 E.

1. Sec. 28 NW¼, NW¼SE¼, is amended to read:

Sec. 28, NW¼NW¼SE¼.

2. Sec. 28, SW¼, NW¼NW¼, is amended to read:

Sec. 28, SW¼NW¼NW¼.

T. 18 S., R. 72 N. is amended to read: T. 18 S., R. 72 W.

J. ELLIOTT HALL,
Acting State Director.

[F.R. Doc. 67-12234; Filed, Oct. 16, 1967; 8:48 a.m.]

SIMULTANEOUS OIL AND GAS FILINGS

Notice Regarding Deposit of Advance Rentals

Notice is hereby given that advance rental payments for simultaneous oil and gas filings, pursuant to 43 CFR 3123.9, may be deposited in the U.S. Treasury on a selective office basis. The advance rental will be refunded to unsuccessful participants by Treasury check.

The posted notice of lands available for such filings will contain a statement to the effect that the advance rental payments may be deposited.

J. P. BEIRNE,
Acting Associate Director.

OCTOBER 13, 1967.

[F.R. Doc. 67-12306; Filed, Oct. 16, 1967; 8:50 a.m.]

FEDERAL HOME LOAN BANK BOARD

[No. 20,913]

APPLICATION FOR PERMISSION TO ORGANIZE A FEDERAL SAVINGS AND LOAN ASSOCIATION

Statement of Processing Procedure

OCTOBER 4, 1967.

Resolved that the Federal Home Loan Bank Board, upon the basis of consideration by it of the advisability of revising and publishing its procedure for the internal processing of applications for permission to organize a Federal savings and loan association, hereby adopts the following statement of procedure:

General policy. By the adoption of § 543.2 of the rules and regulations for the Federal Savings and Loan System, the Board establishes a policy that, except in unusual circumstances, a final decision on an application, including hearing cases, will be rendered within 9 months from the date of publication of the notice required by paragraph (e). It is the intention of the Board that the timetable established by this provision shall be maintained to the fullest extent possible and that extensions of such time shall be held to a minimum. In the opinion of the Board, this should permit

reasonable time for the various processing steps involved and still allow not less than 60 days for Board decision after final staff recommendations are forwarded to the Secretary.

The following procedure is hereby prescribed in implementation of § 543.2 of the rules and regulations for the Federal Savings and Loan System, respecting applications for permission to organize a Federal savings and loan association.

Processing by Supervisory Agent. Following the Supervisory Agent's determination that the application is complete, the Supervisory Agent shall advise the applicants to publish the notice provided for in paragraph (e) of § 543.2 of the rules and regulations for the Federal Savings and Loan System and shall send copies of such advice to the Office of Applications, the Office of the Secretary, the appropriate State authority and appropriate trade organizations.

After the end of 20 days from the date of publication of the notice, the Supervisory Agent shall, as promptly as possible, transmit his report and recommendation to the Office of Applications, accompanied by a copy of all notices, requests, or objections received by the Supervisory Agent from or on behalf of any person, a copy of the published notice of the filing of the application and the notarized original of the publisher's affidavit, and a copy of all other documents and writings which have been received by the Supervisory Agent with respect to such application. A copy of the Supervisory Agent's report and recommendation shall be sent to the Office of the Secretary for its files.

Availability for public inspection. The application and other nonconfidential data submitted by applicants and protestants shall continuously be available for inspection at the Supervisory Agent's office and, at any time after receipt by the Office of Applications of the file and recommendation from the Supervisory Agent, shall likewise be available for inspection in the Office of the Secretary.

NOTE.—Information as to the applicant's net worth, income, and other information submitted in Exhibit A of the application is to be available for public inspection.

Processing by Office of Applications. The Office of Applications analyzes all information having a bearing on applications. In addition to data submitted by applicant, the Office will consider other available information and will consult the files of the Board and other Government agencies.

If the Office of Applications is of the opinion that an application has merit, and if the record with respect to the application contains no substantial objection and request to be heard by any person, said Office may recommend that the Board approve the application without a hearing.

If the Office of Applications is of the opinion that an application is without merit, such Office may recommend that the Board disapprove the application without a hearing, whether or not there has been received notice of objection to the application or a request for hearing from the applicant or from any other person. In the event a request for hearing is made upon such disapproval, the Office of Applications shall, unless otherwise directed by the Board, order a hearing on the application.

If the Office of Applications is of the opinion that an application has merit but that it involves matters of a controversial nature, as shown by objections received, or because of receipt of a competing application, or for any other reason, the Director or an Assistant Director of the Office of Applications shall order a hearing on the application.

The order shall be prepared by the Office of the General Counsel for the Office of Applications pursuant to the recommendation of the latter Office. In its discretion, the Office of Applications may provide in the order for a hearing that the hearing may be dispensed with if, subsequent to the issuance of the order, no notice of intention to appear at the hearing is received within the time prescribed in the order or if all notices of intention to appear filed subsequent to the order and within the prescribed time are withdrawn.

The order may also provide:

For a consolidated hearing on applications filed by two or more groups for permission to organize Federal associations to be located in or to serve the same general area;

For the consolidation of a hearing on one or more applications for permission to organize a Federal association with a hearing or hearings ordered on one or more applications for permission to establish a branch office to be located in or to serve the same general area;

For the consolidation of a hearing on one or more applications for permission to organize a Federal association with a hearing or hearings ordered on one or more applications for insurance of accounts of a new state-chartered association by the Federal Savings and Loan Insurance Corporation; or

For a combination of any of these.

The Office of Applications shall transmit copies of the orders by registered mail to the designated representative of the applicants and to all persons who have filed written statements protesting approval of the application. Copies of the order, together with copies of the "Digest" of the application prepared by the Office of Applications, shall be sent to the Office of the Secretary for its files and to the General Counsel for use by the Hearing Officer.

After the receipt of the transcript of the hearing and briefs, if any, the Analyst from the Office of Applications in attendance at the hearing shall, within 30 days if possible, transmit his recommendation to the Secretary.

Processing by Hearing Officer. After an order for a hearing has been issued, all correspondence and inquiries with respect to the case shall be handled by the Office of the General Counsel. After the hearing has been held and the record closed, the Hearing Officer shall, within 30 days if possible, transmit to the Office of the Secretary the complete record of the hearing, including briefs and all exhibits and other material received in evidence, together with a written recommendation. If the hearing is dispensed with, the Hearing Officer shall promptly transmit the application file, including written material with respect to the hearing, to the Office of Applications for its recommendation to the Board.

Advice of Board action. Upon action by the Board the Office of the Secretary shall promptly forward to the Office of Applications appropriate number of copies of resolutions for its use in advising the Supervisory Agent, the applicants, any protestants, the Board offices concerned and any other interested persons who have requested to be advised of such action, except that advice responsive to Congressional interest, if any, shall be given by the Office of the Secretary.

Ex parte communications. In view of the extensive information now made available by the adoption of the amendment to § 543.2 of the regulations, it is expected that the receipt of many inquiries will be eliminated. While we expect the volume of inquiries and communications to be substantially reduced, the Board would, nevertheless, emphasize the importance of the Supervisory Agents and all members of the staff of the Board scrupulously adhering to the provisions of Part 510—Ex Parte Communications of the general regulations of the Federal Home Loan Bank Board, effective October 29, 1962, as amended effective January 8, 1963. Particular attention is directed to § 510.1(b) "Prohibited communications" which provides that:

> Except as provided in paragraph (c) of this section, any ex parte communication, either written or oral, with respect to any matter scheduled by the Board for hearing by any person to any member of the Board, a hearing officer, or any employee participating in the decisional process with respect to such matter is prohibited pending final decision of such matter.

Resolved further that the Secretary to the Board is directed to transmit the foregoing statement approved by the Board to the Office of the Federal Register for publication.

By the Federal Home Loan Bank Board.

[SEAL] HARRY W. CAULSEN, *Secretary.*

[F.R. Doc. 67-12240; Filed, Oct. 16, 1967; 8:50 a.m.]

[No. 20,914]

APPLICATION FOR PERMISSION TO ESTABLISH A BRANCH OFFICE OF A FEDERAL SAVINGS AND LOAN ASSOCIATION

Statement of Processing Procedure

OCTOBER 4, 1967.

Resolved that the Federal Home Loan Bank Board, upon the basis of consideration by it of the advisability of revising

and publishing its procedure for the internal processing of applications for permission to establish a branch office of a Federal savings and loan association, hereby adopts the following statement of procedure:

General policy. By the adoption of § 545.14(a)(4) of the rules and regulations for the Federal Savings and Loan System, the Board establishes for the first time a policy that, except in unusual circumstances, a final decision on an application, including hearing cases, will be rendered within nine months from the date of the publication of the notice required by paragraph (g). It is the intention of the Board that the timetable established by this provision shall be maintained to the fullest extent possible and that extensions of such time shall be held to a minimum. In the opinion of the Board, this should permit reasonable time for the various processing steps involved and still allow not less than 60 days for Board decision after final staff recommendations are forwarded to the Secretary.

The following procedure is hereby prescribed in implementation of § 545.14 of the rules and regulations for the Federal Savings and Loan System, respecting applications for permission to establish branch offices by Federal associations.

Disapproval or deferral for supervisory reasons. Upon the filing of an eligible application, as determined by the Supervisory Agent pursuant to § 545.14(b), the Supervisory Agent shall promptly transmit to the Washington Office of Examinations and Supervision the application and supporting documents together with his recommendation as to whether, from a supervisory standpoint, the application should be processed, disapproved or action thereon deferred and with a statement of the reasons for his recommendation. If the Office of Examinations and Supervision is of the opinion that there is not adequate basis for supervisory objection, it should promptly so advise the Supervisory Agent and the application shall then be processed.

If the Office of Examinations and Supervision is of the opinion that there is or may be a basis for supervisory objection, said Office shall recommend to the Board that the application be disapproved or action thereon deferred. If the Board disapproves or defers action on the application, the applicant association shall be notified by the Supervisory Agent of the disapproval or deferral with a statement of the grounds therefor; if the Board determines that the application should not be disapproved and action thereon should not be deferred for supervisory reasons, the Office of Examinations and Supervision will notify the Supervisory Agent and the application, if complete, shall then be processed by the Supervisory Agent.

Processing by Supervisory Agent. Following receipt of notice of preliminary supervisory clearance and the Supervisory Agent's determination that the application is complete, the Supervisory Agent shall advise the applicant to publish the notice provided for in paragraph (g) of § 545.14 of the rules and regulations for the Federal Savings and Loan System and shall send copies of such advice to the Office of Applications, the Office of the Secretary, the appropriate state authority and appropriate trade organizations.

After the end of 20 days from the date of publication of the notice, the Supervisory Agent shall, as promptly as possible, transmit his report and recommendation to the Office of Applications, accompanied by a copy of all notices, requests, or objections received by the Supervisory Agent from or on behalf of any person, a copy of the published notice of the filing of the application and the notarized original of the publisher's affidavit, and a copy of all other documents and writings which have been received by the Supervisory Agent with respect to such application. A copy of the Supervisory Agent's report and recommendation shall be sent to the Office of Examinations and Supervision and to the Office of the Secretary for their files.

Availability for public inspection. The application and other data that is not confidential shall continuously be available for inspection by interested parties at the Supervisory Agent's office and, at any time after receipt by the Office of Applications of the file and recommendation from the Supervisory Agent, shall likewise be available for inspection in the Office of the Secretary.

Processing by Office of Applications. If the Office of Applications is of the opinion that an application has merit, and if the record with respect to the application contains no substantial objection and request to be heard by any person, said Office may recommend that the Board approve the application without a hearing.

If the Office of Applications is of the opinion that an application for permission to establish a branch office is without merit, such Office may recommend that the Board disapprove the application without a hearing, whether or not there has been received notice of objection to the application or a request for hearing from the applicant or from any other person. In the event a request for hearing is made upon such disapproval, the Office of Applications shall, unless otherwise directed by the Board, order a hearing on the application.

If the Office of Applications is of the opinion that an application for permission to establish a branch office has merit but that it involves matters of a controversial nature, as shown by objections received, or because of receipt of a competing application, or for any other reason, the Director or an Assistant Director of the Office of Applications shall order a hearing on the application.

The order shall be prepared by the Office of the General Counsel for the Office of Applications pursuant to the recommendation of the latter Office. In its discretion, the Office of Applications may provide in the order for a hearing that the hearing may be dispensed with if, subsequent to the issuance of the order, no notice of intention to appear at the hearing is received within the time prescribed in the order or if all notices of intention to appear filed subsequent to the order and within the prescribed time are withdrawn.

The order may also provide:

For a consolidated hearing on applications filed by two or more associations for permission to establish branch offices to be located in or to serve the same general area;

For the consolidation of a hearing on one or more applications for permission to establish a branch office with a hearing or hearings ordered on one or more applications for permission to organize a Federal association to be located in or to serve the same general area;

For the consolidation of a hearing on one or more applications for permission to establish a branch office with a hearing or hearings ordered on one or more applications for insurance of accounts of a new State-chartered association by the Federal Savings and Loan Insurance Corporation; or

For a combination of any of these.

The Office of Applications shall transmit copies of the orders by registered mail to the applicant association and to all persons who have filed written statements protesting approval of the application. Copies of the order, together with copies of the "Digest" of the application prepared by the Office of Applications, shall be sent to the Office of the Secretary for its files and to the General Counsel for use by the Hearing Officer.

After the receipt of the transcript of the hearing and briefs, if any, the Analyst from the Office of Applications in attendance at the hearing shall, within 30 days if possible, transmit his recommendation to the Secretary.

Processing by Hearing Officer. After an order for a hearing has been issued, all correspondence and inquiries with respect to the case shall be handled by the Office of the General Counsel. After the hearing has been held and the record closed, the Hearing Officer shall, within 30 days if possible, transmit to the Office of the Secretary the complete record of the hearing, including briefs and all exhibits and other material received in evidence, together with a written recommendation. If the hearing is dispensed with, the Hearing Officer shall promptly transmit the application file, including written material with respect to the hearing, to the Office of Applications for its recommendation to the Board.

Advice of Board action. Upon action by the Board the Office of the Secretary shall promptly forward to the Office of Applications appropriate number of copies of resolutions for its use in advising the Supervisory Agent, the applicant, any protestants, the Board offices concerned and any other interested persons who have requested to be advised of such action, except that advice responsive to Congressional interest, if any, shall be given by the Office of the Secretary.

Ex parte communications. In view of the extensive information now made available by the adoption of the amendment to § 545.14 of the regulations, it is

expected that the receipt of many inquiries will be eliminated. While we expect the volume of inquiries and communications to be substantially reduced, the Board would, nevertheless, emphasize the importance of the Supervisory Agents and all members of the staff of the Board scrupulously adhering to the provisions of Part 510—Ex Parte Communications of the general regulations of the Federal Home Loan Bank Board, effective October 29, 1962, as amended effective January 8, 1963. Particular attention is directed to § 510.1(b) "Prohibited communications" which provides that:

Except as provided in paragraph (c) of this section, any ex parte communication, either written or oral, with respect to any matter scheduled by the Board for hearing by any person to any member of the Board, a hearing officer, or any employee participating in the decisional process with respect to such matter is prohibited pending final decision of such matter.

Resolved further that the Secretary to the Board is directed to transmit the foregoing statement approved by the Board to the Office of the Federal Register for publication.

By the Federal Home Loan Bank Board.

[SEAL] HARRY W. CAULSEN, *Secretary.*

[F.R. Doc. 67-12241; Filed, Oct. 16, 1967; 8:50 a.m.]

[No. 20,915]

APPLICATION FOR INSURANCE OF ACCOUNTS SUBMITTED BY NEW STATE-CHARTERED INSTITUTION NOT YET OPEN FOR BUSINESS; OR REQUEST FOR A COMMITMENT TO INSURE ACCOUNTS SUBMITTED BY PROPOSED STATE-CHARTERED INSTITUTION WHICH HAS NOT YET RECEIVED A CHARTER

Statement of Processing Procedure

OCTOBER 4, 1967.

Resolved that the Federal Home Loan Bank Board, upon the basis of consideration by it of the advisability of revising and publishing its procedure for the internal processing of applications for insurance of accounts submitted by new State-chartered institutions not yet open for business and requests for a commitment to insure accounts submitted by proposed State-chartered institutions which have not yet received a charter, hereby adopts the following statement of procedure:

Processing timetable. Part 562 of the rules and regulations for Insurance of Accounts has been amended to establish a policy that, except in unusual circumstances, a final decision on an Application for Insurance of Accounts of the type described above (hereinafter referred to as Application) or on a Request for a Commitment to Insure Accounts (hereinafter referred to as Request), including hearing cases, will be rendered within 9 months from the date of publication of the notice required by paragraph (a) of § 562.4 of the regulations. The above timetable should be observed to the fullest extent possible. Extensions of such time will be held to a minimum. In the opinion of the Board, this should permit reasonable time for the various processing steps involved and still allow not less than 60 days for Board decision after staff recommendations are forwarded to the Secretary.

The following procedure is hereby prescribed in implementation of Part 562 of the rules and regulations for Insurance of Accounts.

Processing by Supervisory Agent. Following a determination by the Supervisory Agent that the Application or the Request is complete, the Supervisory Agent shall advise the institution to publish the notice provided for in paragraph (a) of § 562.4 of the rules and regulations for Insurance of Accounts and shall send copies of such advice to the Office of Applications, the Office of the Secretary, the appropriate state authority and appropriate trade organizations. The Supervisory Agent shall order confidential character-credit-financial reports on the organizers, directors, and the managing officer to be delivered by the credit reporting agency directly to the Supervisory Agent and to be paid for by the District Bank from funds provided by the institution or applicant submitting the Application or Request to cover additional expenses incurred by the Bank. These character-credit-financial reports shall be considered as confidential and not as a part of the Application or Request. (These more extensive reports should be obtained hereafter in lieu of the usual credit reports previously obtained and should be comparable to the Special Service Character-Financial Reports supplied by Retail Credit Company. This type of report may be obtained from other credit reporting companies.)

There is an Outline of Supervisory Agent's Summary of Information which it is suggested the Supervisory Agent follow in preparing a summary of the information supporting the Application or Request. (Copies of this Outline of Supervisory Agent's Summary of Information may be obtained upon request from the offices of the Federal Home Loan Banks set forth in section 4, Resolution No. 20,672, 32 F.R. 9041 or from the headquarters of the Federal Home Loan Bank Board at 101 Indiana Avenue NW., Washington, D.C. 20552.) The Board considers it advisable that a field survey be made except in those cases in which the Supervisory Agent is of the opinion that a field survey would not be helpful.

After the end of 20 days from the date of publication of the notice, the Supervisory Agent shall, as promptly as possible, transmit his Summary of Information, survey report, if any, and recommendation to the Office of Applications, accompanied by a copy of all notices, requests, or objections received by the Supervisory Agent from or on behalf of any person, a copy of the published notice of the filing of the Application or Request and the notarized original of the publisher's affidavit, and a copy of all other documents and writings which have been received by the Supervisory Agent with respect to such Application or Request. A copy of the Supervisory Agent's Summary of Information survey report and recommendation shall be sent to the Office of the Secretary for its files.

Availability for public inspection. The Application or Request and other nonconfidential data submitted by applicants and protestants shall, after publication of the notice provided for in the regulations, continuously be available for inspection by interested parties at the Supervisory Agent's office and, at any time after receipt by the Office of Applications of the file and recommendation from the Supervisory Agent, shall likewise be available for inspection in the Office of the Secretary.

Processing by Office of Applications. The Office of Applications analyzes all information having a bearing on Applications or Requests. In addition to data submitted by applicant, the Office will consider other available information and will consult the files of the Board and other government agencies.

If the Office of Applications is of the opinion that an Application or Request has merit, and if the record with respect to the Application or Request contains no substantial objection and request to be heard by any person, said Office may recommend that the Board approve without a hearing the Application or Request.

If the Office of Applications is of the opinion that an Application or Request is without merit, such Office may recommend that the Board disapprove the Application or Request without a hearing, whether or not there has been received a request for hearing from the applicant or from any other person or a notice of objection to the Application or Request. In the event a request for hearing is made upon such disapproval, the Office of Applications shall, unless otherwise directed by the Board, order a hearing on the Application or Request.

If the Office of Applications is of the opinion that an Application or Request may have merit but that it involves matters of a controversial nature, as shown by objections received, or because of receipt of a competing Application or Request, or for any other reason, the Director or an Assistant Director of the Office of Applications may order a hearing on the Application or Request. The Office of Applications shall not order a hearing without the approval of the Board in any instance where, after reasonable publication of notice, a hearing has been held by the State Authorities on an application for State charter and a transcript of the hearing showing full exploration of the merits of the Application and the views of the protestants, if any, is available.

The order for a hearing shall be prepared by the Office of the General Counsel for the Office of Applications pursuant

to the recommendation of the latter Office. In its discretion, the Office of Applications may provide in the order for a hearing that the hearing may be dispensed with if, subsequent to the issuance of the order, no notice of intention to appear at the hearing is received within the time prescribed in the order or if all notices of intention to appear, filed subsequent to the order and within the prescribed time, are withdrawn.

The order may also provide:

(a) For a consolidated hearing on Applications and/or Request filed by two or more State-chartered institutions to be located in or to serve the same general area;

(b) For the consolidation of a hearing or hearings ordered on one or more Applications and/or Requests filed by State-chartered institutions with a hearing on one or more applications for permission to organize a Federal association to be located in or to serve the same general area;

(c) For the consolidation of a hearing on one or more Applications and/or Requests filed by State-chartered institutions with a hearing or hearings ordered on one or more applications for permission to establish a branch office of a Federal association to be located in or to serve the same general area; or

(d) For a combination of any of these.

The Office of Applications shall transmit copies of the orders by registered mail to the designated representative of the applicants and to all persons who have filed written statements protesting approval of the Application or Request. Copies of the order shall be sent by first class mail to the Supervisory Agent, the appropriate state authority, the State League of Savings and Loan Associations, the National Leagues of Savings and Loan Associations, and any other interested parties. Copies of the order, together with copies of the "Digest" of the Application or Request prepared by the Office of Applications, shall be sent to the Office of the Secretary for its files and to the General Counsel for use by the Hearing Officer.

After the receipt of the transcript of the hearing and briefs, if any, the Analyst from the Office of Applications in attendance at the hearing shall, within 30 days if possible, transmit his recommendation to the Secretary.

Processing by Office of the General Counsel. After an order for a hearing has been issued, all correspondence and inquiries with respect to the case shall be handled by the Office of the General Counsel. After the hearing has been held and the record closed, the Hearing Officer shall, within 30 days if possible, transmit to the Office of the Secretary the complete record of the hearing, including briefs and all exhibits and other material received in evidence, together with a written recommendation. If the hearing is dispensed with, the Hearing Officer shall promptly transmit the file, including written material with respect to the hearing, to the Office of Applications for its recommendation to the Board.

Advice of Board action. Upon action by the Board, the Office of the Secretary shall promptly forward to the Office of Applications appropriate number of copies of resolutions for its use in advising the Supervisory Agent, the applicants, any protestants, the Board offices concerned and any other interested persons who have requested to be advised of such action, except that advice responsive to Congressional interest, if any, shall be given by the Office of the Secretary.

Ex parte communications. In view of the extensive information now made available by the adoption of the amendment to Part 562 of the regulations, it is expected that the receipt of many inquiries will be eliminated. While we expect the volume of inquiries and communications to be substantially reduced, the Board would, nevertheless, emphasize the importance of the Supervisory Agents and all members of the staff of the Board scrupulously adhering to the provisions of Part 510—Ex Parte Communications of the General Regulations of the Federal Home Loan Bank Board, effective October 29, 1962, as amended effective January 8, 1963. Particular attention is directed to § 510.1(b) "Prohibited communications" which provides that:

> Except as provided in paragraph (c) of this section, any ex parte communication, either written or oral, with respect to any matter scheduled by the Board for hearing by any person to any member of the Board, a hearing officer, or any employee participating in the decisional process with respect to such matter is prohibited pending final decision of such matter.

Resolved further that the Secretary to the Board is directed to transmit the foregoing statement approved by the Board to the Office of the Federal Register for publication.

By the Federal Home Loan Bank Board.

[SEAL] HARRY W. CAULSEN, *Secretary.*

[F.R. Doc. 67-12242; Filed, Oct. 16, 1967; 8:50 a.m.]

[No. 20,916]

APPLICATION FOR ISSUANCE OF ACCOUNTS SUBMITTED BY OPERATING STATE-CHARTERED INSTITUTION

Statement of Processing Procedure

OCTOBER 4, 1967.

Resolved that the Federal Home Loan Bank Board, upon the basis of consideration by it of the advisability of revising and publishing its procedure for the internal processing of applications for insurance of accounts submitted by operating State-chartered institutions, hereby adopts the following statement of procedure:

Processing timetable. Part 562 of the rules and regulations for Insurance of Accounts does not provide any time limitation for rendering a final decision on an Application for Insurance of Accounts of the type described above (hereinafter referred to as Application). This does not in any way detract from the necessity for processing such an Application as promptly as possible.

The following procedure is hereby prescribed in implementation of Part 562 of the rules and regulations for Insurance of Accounts.

Processing by Supervisory Agent. Following a determination by the Supervisory Agent that the Application is complete, the Supervisory Agent shall make arrangements for an eligibility examination to be made by the District Examiner of the Office of Examinations and Supervision at the earliest practicable date. The Supervisory Agent shall order confidential character-credit-financial reports on the directors and the managing officer to be delivered by the credit reporting agency directly to the Supervisory Agent and to be paid for by the District Bank from funds provided by the institution submitting the Application to cover additional expenses incurred by the Bank. These character-credit-financial reports shall be considered as confidential and not as a part of the Application. (These more extensive reports should be obtained hereafter in lieu of the usual credit reports previously obtained and should be comparable to the Special Service Character—Financial Reports supplied by Retail Credit Company. This type of report may be obtained from other credit reporting companies.)

There is an Outline of Supervisory Agent's Summary of Information which it is suggested the Supervisory Agent follow in preparing a summary of the information supporting the Application and that contained in the Eligibility Examination Report. (Copies of this Outline of Supervisory Agent's Summary of Information may be obtained upon request from the offices of the Federal Home Loan Banks set forth in section 4, Resolution No. 20,672, 32 F.R. 9041 or from the headquarters of the Federal Home Loan Bank Board at 101 Indiana Avenue, NW., Washington, D.C. 20552.) If the Supervisory Agent deems it advisable in the particular case, he may send a representative to visit the applicant or the community for the purpose of obtaining supplementary information.

As promptly as possible following the receipt of a copy of the Eligibility Examination Report the Supervisory Agent shall transmit his Summary of Information, survey report, if any, and recommendation to the Office of Applications, accompanied by a copy of all documents and writings which have been received by the Supervisory Agent with respect to such Application. A copy of the Supervisory Agent's Summary of Information, survey report and recommendation shall be sent to the Office of the Secretary for its files.

Application and supporting information confidential. An Application for Insurance of Accounts submitted by an operating institution, all accompanying exhibits and other supporting information will be treated as confidential.

Hearing. It is the Board's policy that a hearing will not usually be scheduled on an Application filed by an operating institution. In any event no such hearing will be scheduled except by the Board.

Processing by Office of Applications. The Office of Applications analyzes all information having a bearing on Applications. In addition to data submitted by an applicant, the Office will consider other available information and will consult the files of the Board and other Government agencies.

The Office of Applications may recommend either that the Board approve or disapprove the Application depending on whether said Office is of the opinion that the Application does or does not have merit. In addition, if the Office of Applications is of the opinion that an Application may have merit provided certain deficiencies in operations or other features are corrected, said Office may recommend that the Board defer consideration of the Application for a stated period of time and until the said deficiencies have been corrected.

Advice of Board action. Upon action by the Board, the Office of the Secretary shall promptly forward to the Office of Applications appropriate number of copies of resolutions for its use in advising the Supervisory Agent, the applicant, the Board offices concerned and any other interested persons who have requested to be advised of such action, except that advice responsive to Congressional interest, if any, shall be given by the Office of the Secretary. The final action of the Board on an Application for Insurance of Accounts will be indexed and made available by the Board for public inspection and copying.

Resolved further that the Secretary to the Board is directed to transmit the foregoing statement approved by the Board to the Office of the Federal Register for publication.

By the Federal Home Loan Bank Board.

[SEAL] HARRY W. CAULSEN,
Secretary.

[F.R. Doc. 67-12243; Filed, Oct. 16, 1967; 8:50 a.m.]

INTERAGENCY TEXTILE ADMINISTRATIVE COMMITTEE

CERTAIN COTTON TEXTILES AND COTTON TEXTILE PRODUCTS PRODUCED OR MANUFACTURED IN YUGOSLAVIA

Entry and Withdrawal From Warehouse for Consumption

OCTOBER 11, 1967.

On September 26, 1967, the Government of the United States, in furtherance of the objectives of and under the terms of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, concluded an agreement with the Government of the Socialist Federal Republic of Yugoslavia amending the bilateral agreement of October 5, 1964, concerning exports of cotton textiles and cotton textile products from Yugoslavia to the United States. Among the provisions of the agreement as amended are those applying specific export limitations to Categories 22, 28–29, and 34 for the 12-month period beginning January 1, 1967.

There is published below a letter of October 10, 1967, from the Chairman of the President's Cabinet Textile Advisory Committee to the Commissioner of Customs, directing that as soon as possible and for the period beginning January 1, 1967, and extending through December 31, 1967, entry into the United States for consumption and withdrawal from warehouse for consumption of cotton textiles and cotton textile products in Categories 22, 28–29, and 34, produced or manufactured in the Socialist Federal Republic of Yugoslavia and exported to the United States on or after January 1, 1967, be limited to the designated levels.

STANLEY NEHMER,
Chairman, Interagency Textile Administrative Committee, and Deputy Assistant Secretary for Resources.

THE SECRETARY OF COMMERCE
WASHINGTON, D.C. 20230
PRESIDENT'S CABINET TEXTILE ADVISORY COMMITTEE

OCTOBER 10, 1967.

COMMISSIONER OF CUSTOMS
Department of the Treasury
Washington, D.C. 20226

DEAR MR. COMMISSIONER: This directive supplements and amends but does not cancel the directive issued to you on December 28, 1966, by the Chairman, President's Cabinet Textile Advisory Committee, regarding imports of cotton textiles and cotton textile products produced or manufactured in Yugoslavia.

Under the terms of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, in accordance with the bilateral cotton textile agreement of October 5, 1964, as amended, between the United States and the Socialist Federal Republic of Yugoslavia, and in accordance with the procedures outlined in Executive Order 11052 of September 28, 1962, as amended by Executive Order 11214 of April 7, 1965, you are directed to prohibit, effective as soon as possible and for the period beginning January 1, 1967, and extending through December 31, 1967, entry into the United States for consumption and withdrawal from warehouse for consumption, of cotton textiles and cotton textile products in Categories 22, 28–29, and 34, produced or manufactured in the Socialist Federal Republic of Yugoslavia, in excess of the following adjusted levels of restraint:

Category	12-month levels of restraint	Adjusted levels of restraint
22	1,763,993 sq. yds.[1]	[2] 1,763,993
28-29	711,946 pieces	[3] 711,946
34	339,677 pieces	[3] 286,877

[1] The 12-month level of restraint established for this category amends the level set forth in the directive of Dec. 28, 1966.

[2] This level has not been adjusted to reflect entries made on or after Jan. 1, 1967.

[3] These levels have been adjusted to reflect entries made during the period beginning Jan. 1, 1967, and extending through Aug. 31, 1967. No adjustments have been made for entries after Aug. 31, 1967.

Entries of cotton textiles and cotton textile products in Category 22 produced or manufactured in Yugoslavia prior to January 1, 1967, shall, to the extent of any unfilled balances, be charged against the level of restraint established for such goods during the period January 1, 1966, through December 31, 1966. In the event that the level of restraint established for the period January 1, 1966, through December 31, 1966, has been exhausted by previous entries, such goods shall be subject to the directive set forth in this letter. However, entries of cotton textiles and cotton textile products in Categories 28–29 and 34 produced or manufactured in Yugoslavia and which have been exported to the United States from Yugoslavia prior to January 1, 1967, shall not be subject to this directive.

A detailed description of the categories in terms of T.S.U.S.A. numbers was published in the FEDERAL REGISTER on July 7, 1966 (31 F.R. 9310).

In carrying out the above directions, entry into the United States for consumption shall be construed to include entry for consumption into the Commonwealth of Puerto Rico.

The actions taken with respect to the Government of the Socialist Federal Republic of Yugoslavia and with respect to imports of cotton textiles and cotton textile products from the Socialist Federal Republic of Yugoslavia have been determined by the President's Cabinet Textile Advisory Committee to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the notice provisions of 5 U.S.C. 553. This letter will be published in the FEDERAL REGISTER.

Sincerely yours,

A. B. TROWBRIDGE,
Secretary of Commerce, Chairman, President's Cabinet Textile Advisory Committee.

[F.R. Doc. 67-12246; Filed, Oct. 16, 1967; 8:48 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[81-75]

NATIONAL EXHIBITION CO.

Notice of Continuance

OCTOBER 11, 1967.

By order dated September 22, 1967, the Securities and Exchange Commission scheduled for hearing on October 16, 1967, an application of National Exhibition Co. for exemption from the registration provisions of section 12(g) of the Securities Exchange Act of 1934.

Notice is hereby given that, on request of counsel for National Exhibition Co., the Hearing Examiner authorized a postponement of the hearing to November 13, 1967, at 10 a.m., in the Commission's Washington office.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 67-12221; Filed, Oct. 16, 1967; 8:46 a.m.]

[70-4545]

NEW ORLEANS PUBLIC SERVICE INC. AND MIDDLE SOUTH UTILITIES, INC.

Notice of Proposed Transfer by Subsidiary Company of a Portion of Earned Surplus to Common Capital Stock Account and Proposed Issuance of Common Stock to Holding Company

OCTOBER 11, 1967.

Notice is hereby given that Middle South Utilities, Inc. ("Middle South"), 280 Park Avenue, New York, N.Y. 10017, a registered holding company, and its public-utility subsidiary company, New Orleans Public Service Inc. ("New Orleans"), 317 Baronne Street, New Orleans, La. 70160, have filed a joint application-declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6(a)(2), 7, 9(a)(1), and 10 of the Act as applicable to the proposed transactions. All interested persons are referred to the application-declaration, which is summarized below, for a complete statement of the proposed transactions.

New Orleans proposes to transfer $5 million from its earned surplus account to its common capital stock account. Contemporaneously with such transfer, New Orleans proposes to issue and Middle South, which owns all the presently outstanding 5,263,000 shares of New Orleans' common stock, proposes to acquire, 500,000 additional shares of authorized common stock having an aggregate par value of $5 million. Middle South will make no change in its investment account other than to restate the number of shares representing its investment in New Orleans.

As of August 31, 1967, the earned surplus of New Orleans amounted to $17,135,382. During the 12 months ended on such date dividends on New Orleans' preferred stock (all publicly held) amounted to $774,774, and common stock dividends, amounting to $4,596,975, were paid.

It is stated that the issuance of such common stock will permit New Orleans to convert into permanent capital a portion of its earned surplus.

The application-declaration states that no State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions. It is also stated that no special and separable expenses are anticipated in connection with the proposed transactions.

Notice is further given that any interested person may, not later than November 6, 1967, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said application-declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the applicants-declarants at the above-stated addresses, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the application-declaration, as filed or as amended, may be granted and permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered, will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 67-12222; Filed, Oct. 16, 1967; 8:46 a.m.]

POWER OIL CO.

Order Suspending Trading

OCTOBER 11, 1967.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Power Oil Co., Houston, Tex., and all other securities of Power Oil Co. being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period October 12, 1967, through October 21, 1967, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 67-12223; Filed, Oct. 16, 1967; 8:46 a.m.]

OFFICE OF EMERGENCY PLANNING

TEXAS

Amendment to Notice of Major Disaster

Notice of major disaster for the State of Texas, dated October 2, 1967, and published October 7, 1967 (32 F.R. 14005), is hereby amended to include the following counties among those counties determined to have been adversely affected by the catastrophe declared a major disaster by the President in his declaration of September 28, 1967:

Calhoun. Zapata.
Kenedy.

Dated: October 9, 1967.

FARRIS BRYANT,
Director,
Office of Emergency Planning.

[F.R. Doc. 67-12219; Filed, Oct. 16, 1967; 8:46 a.m.]

FEDERAL POWER COMMISSION

[Docket No. RI63-153 etc.]

CONTINENTAL OIL CO. ET AL.

Order Providing for Hearing on and Suspension of Proposed Changes in Rates, and Allowing Rate Changes To Become Effective Subject to Refund [1]

OCTOBER 6, 1967.

The Respondents named herein have filed proposed changes in rates and charges of currently effective rate schedules for sales of natural gas under Commission jurisdiction, as set forth in Appendix A hereof.

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be suspended and their use be deferred as ordered below.

The Commission orders:

(A) Under the Natural Gas Act, particularly sections 4 and 15, the regulations pertaining thereto (18 CFR Ch. I), and the Commission's rules of practice and procedure, public hearings shall be held concerning the lawfulness of the proposed changes.

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until date shown in the "Date Suspended Until" column, and thereafter until made effective as prescribed by the Natural Gas Act: *Provided, however,* That the supplements to the rate schedules filed by Respondents, as set forth below, shall become effective subject to refund on the date and in the manner herein prescribed if within 20 days from the date of the issuance of this order Respondents shall each execute and file under its above-designated docket number with the Secretary of the Commission its agreement and undertaking to comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder, accompanied

[1] Does not consolidate for hearing or dispose of the several matters herein.

by a certificate showing service of copies thereof upon all purchasers under the rate schedule involved. Unless Respondents are advised to the contrary within 15 days after the filing of their respective agreements and undertakings, such agreements and undertakings shall be deemed to have been accepted.

(C) Until otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before November 22, 1967.

By the Commission.

[SEAL] GORDON M. GRANT, *Secretary.*

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf: Rate in effect	Cents per Mcf: Proposed increased rate	Rate in effect subject to refund in docket Nos.
RI68-153	Continental Oil Co., Post Office Box 2197, Houston, Tex. 77001.	193	3	Michigan-Wisconsin Pipe Line Co. (Laverne Field, Harper County, Okla.) (Panhandle Area).	10	9-14-67	[2] 10-15-67	[2] 10-16-67	[6] 17.0	[4][6][8] 17.015	
	do	196	4	Michigan-Wisconsin Pipe Line Co. (Laverne Field, Harper and Woodward Counties, Okla.) (Panhandle Area).	64	9-14-67	[2] 10-15-67	[2] 10-16-67	[6] 19.5	[4][6][8] 19.515	RI64-178.
	do	234	2	Panhandle Eastern Pipe Line Co. (Elk City (Haxbar Sand Conglomeration Unit), Beckham and Washita Counties, Okla.) (Oklahoma "Other" Area).	210	9-14-67	[2] 10-15-67	[2] 10-16-67	[7][8] 17.5	[4][6][7][8] 17.51	
	do	255	1	Natural Gas Pipeline Co. of America (Mutual Area, Woodward County, Okla.) (Panhandle Area).	2	9-14-67	[2] 10-15-67	[2] 10-16-67	17.0	[4][8] 17.015	RI64-178.
	do	285	4	Panhandle Eastern Pipe Line Co. (Northeast Trail Field, Dewey County, Okla.) (Oklahoma "Other" Area).	6	9-14-67	[2] 10-15-67	[2] 10-16-67	[7] 15.0	[4][7][8] 15.015	
	do	288	6	Michigan-Wisconsin Pipe Line Co. (Putnam Area, Dewey County, Okla.) (Oklahoma "Other" Area).	5	9-14-67	[2] 10-15-67	[2] 10-16-67	[6] 15.0	[4][6][8] 15.015	
	do	300	3	Arkansas Louisiana Gas Co. (Southeast Lahoma Field, Garfield County, Okla.) (Oklahoma "Other" Area).	8	9-14-67	[2] 10-15-67	[2] 10-16-67	15.0	[4][8] 15.015	
	do	315	1	Northern Natural Gas Co. (Fort Supply Area, Ellis and Woodward Counties, Okla.) (Panhandle Area).	45	9-14-67	[2] 10-15-67	[2] 10-16-67	[6] 17.0	[4][6][8] 17.015	
	do	324	1	Natural Gas Pipeline Co. of America (Southwest Lovedale Field, Harper County, Okla.) (Panhandle Area).	14	9-14-67	[2] 10-15-67	[2] 10-16-67	[6] 17.0	[4][6][8] 17.015	
	do	299	7	Michigan-Wisconsin Pipe Line Co. (Woodward Area, Woodward County, Okla.) (Panhandle Area).	45	9-14-67	[2] 10-15-67	[2] 10-16-67	[6] 17.0	[4][6][8] 17.015	
	do	220	6	Lone Star Gas Co. (Doyle Field, Stephens County, Okla.) (Oklahoma "Other" Area).	28	9-14-67	[2] 10-15-67	[2] 10-16-67	15.0	[4][8] 15.01	
RI68-154	Humble Oil & Refining Co., Post Office Box 2180, Houston, Tex. 77001.	175	4	Lone Star Gas Co. (Dillard Field, Carter County, Okla.) (Oklahoma "Other" Area).	16	9- 8-67	[2] 10- 9-67	[2] 10-10-67	12.0	[4][8] 12.01025	
	do	219	6	Lone Star Gas Co. (Golden Trend Field, Garvin County, Okla.) (Oklahoma "Other" Area).	[12]	9- 8-67	[2] 10- 9-67	[2] 10-10-67	12.0	[4][8] 12.01025	
	do	183	15	Lone Star Gas Co. (Golden Field, Garvin and Stephens Counties, Okla.) (Oklahoma "Other" Area).	56	9- 8-67	[2] 10- 9-67	[2] 10-10-67	12.0	[4][8] 12.01025	
	do	412	1	Lone Star Gas Co. (East Nellie Field, Stephens County, Okla.) (Oklahoma "Other" Area).	11	9- 8-67	[2] 10- 9-67	[2] 10-10-67	15.0	[4][8] 15.0125	
	do	420	3	Arkansas Louisiana Gas Co. (Kinta Field, Haskell et al., Counties, Okla.) (Oklahoma "Other" Area).	66	9- 8-67	[2] 10- 9-67	[2] 10-10-67	15.0	[4][8] 15.01550	
RI68-155	Humble Oil & Refining Co. (Operator) et al.	337	[11] 43	Arkansas Louisiana Gas Co. (Arkoma Area, Haskell et al., Counties, Okla.) (Oklahoma "Other" Area).	337 415 409	9- 8-67	[2] 10- 9-67	[2] 10-10-67	15.0 15.0 15.0	[4][8][13] 15.01550 [4][8][13] 15.01550 [4][8] 15.01550	
RI68-156	Harper Oil Co. (Operator) et al., 904 Hightower Bldg., Oklahoma City, Okla.	33	10	Michigan-Wisconsin Pipe Line Co. (Laverne Field, Harper and Ellis Counties, Okla.) (Panhandle Area).	151	9-11-67	[2] 10-12-67	[2] 10-13-67	[14] 18.310	[4][14][15] 18.325	
RI68-157	Continental Oil Co. (Operator) et al., Post Office Box 2197, Houston, Tex. 77001.	191	9	Michigan-Wisconsin Pipe Line Co. (Laverne and Northwest Buffalo Fields, Harper and Beaver Counties, Okla.) (Panhandle Area).	90	9-14-67	[2] 10-15-67	[2] 10-16-67	[6] 19.5	[4][6][8] 19.515	RI64-553.
	Continental Oil Co. (Operator) et al.	192	3	Colorado Interstate Gas Co. (Laverne Field, Harper County, Okla.) (Panhandle Area).	24	9-14-67	[2] 10-15-67	[2] 10-16-67	[6] 15.0	[4][6][8] 15.01	
	do	202	20	Panhandle Eastern Pipe Line Co: (Various Fields in Woods, Alfalfa, Dewey, and Major Counties, Okla.) (Oklahoma "Other" Area).	261	9-14-67	[2] 10-15-67	[2] 10-16-67	[6] 15.0	[4][6][8] 15.015	

See footnotes at end of table.

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf: Rate in effect	Cents per Mcf: Proposed increased rate	Rate in effect subject to refund in docket Nos.
RI68-158	Edwin L. Cox, 3800 First National Bank Bldg., Dallas, Tex. 75202.	10	12	Natural Gas Pipeline Co. of America (Beaver County, Okla.) (Panhandle Area).	16	9-14-67	[2] 10-15-67	[2] 10-16-67	[14] 17.8	[3] [14] 17.815	RI65-579.
	do	21	10	Natural Gas Pipeline Co. of America (Texas County, Okla.) (Panhandle Area).	2	9-14-67	[2] 10-15-67	[2] 10-16-67	[13] 17.8	[4] [5] [14] 17.815	RI65-579.
	do	22	11	do	10	9-14-67	[2] 10-15-67	[2] 10-16-67	[14] 17.8	[4] [14] 17.815	RI65-579.
RI68-159	Texaco Inc. (Operator) et al., Post Office Box 430, Bellaire, Tex. 77401.	93	9	Natural Gas Pipeline Co. of America (La Gloria Field, Jim Wells County, Tex.) (R.R. District No. 4).	282	9-11-67	[10] 10-12-67	[2] 10-13-67	19.81280	[5] [15] 15.61331	

[2] The stated effective date is the first day after expiration of the statutory notice.
[3] The suspension period is limited to 1 day.
[4] Tax reimbursement increase. Pressure base is 14.65 p.s.i.a. Subject to upward B.t.u. adjustment of 1/100 cent per B.t.u. above 1,000 B.t.u. to a maximum 1,200 B.t.u. and subject to a full proportional downward B.t.u. adjustment from 1,000 B.t.u.'s.
[7] Base rate subject to proportionate upward and downward B.t.u. adjustment for gas containing more or less than 1,000 B.t.u.'s per cubic foot.
[8] Includes 2.5 cents paid by buyer for gathering, dehydrating and compressing gas.
[9] Subject to upward and downward B.t.u. adjustment.
[10] No current deliveries.
[11] Covers sales in Oklahoma only. Rate Schedule also covers sales in Arkansas.
[12] Subject to 0.75 cent per Mcf deduction by buyer for gas compressed by buyer (Milton et al. Fields).
[13] Subject to 39 cents per Mcf deduction by buyer for gas compressed by buyer (Pine Hollow-Arplear Fields).
[14] Includes 1.310 cents upward B.t.u. adjustment. Base rate subject to 1/100 cent upward B.t.u. adjustment for each B.t.u. in excess of 1,000 B.t.u. per cubic foot and proportionate downward B.t.u. adjustment from a base of 1,000 B.t.u.'s.
[15] Includes 0.015 cent tax reimbursement.
[15] Subject to a downward B.t.u. adjustment.
[17] Effective date requested by Respondent.
[18] Periodic rate increase.

Continental Oil Co. and Continental Oil Co. (Operator) et al. (both referred to herein as Continental), request waiver of the statutory notice to permit their proposed rate increases to become effective as of July 1, 1967, the date the increased Oklahoma Excise Tax became effective. Humble Oil & Refining Co. (Operator) et al. (Humble), also request an effective date of July 1, 1967, for their proposed rate increases. Harper Oil Co. (Operator) et al., request waiver of the statutory notice to permit their proposed rate increase to become effective as of October 1, 1967. Good cause has not been shown for waiving the 30-day notice requirement provided in section 4(d) of the Natural Gas Act to permit earlier effective dates for the aforementioned producers' rate filings and such requests are denied.

The proposed rate increase filed by Texaco, Inc. (Operator) et al. (Texaco), applies only to the interest of the "et al" parties covered by Texaco's rate schedule, namely Gulf Oil Corp. and Ward & Brown. Texaco has previously filed the same rate proposed herein which is suspended in Docket No. RI67-319 and subsequently made effective on August 16, 1967, subject to refund. Texaco's previous filing only covered the working interest of Texaco. We believe, in this situation, Texaco's proposed rate filing covering the "et al" parties should be suspended for 1 day from October 12, 1967, the proposed effective date.

All of the producers' proposed increased rates and charges exceed the applicable area price levels for increased rates as set forth in the Commission's statement of general policy No. 61-1, as amended (18 CFR 2.56). Since the proposed increases relate to tax reimbursement resulting from the increase in Oklahoma excise tax, it is appropriate to suspended them for 1 day.

Lone Star Gas Co. (Lone Star) on September 25, 1967, filed a protest to the rate filings submitted by Humble Oil & Refining Co. and Humble Oil & Refining Co. (Operator) et al. (both referred to herein as Humble). Lone Star states in its protest that Humble is not entitled to be reimbursed under the terms of its contract for tax liabilities by the application of the existing 5 percent gross production tax to the increase in the exoise tax and requests that Humble's filings be rejected. Lone Star disagrees with Humble's interpretation of the contract and states that the only tax reimbursement Humble is entitled to collect is that based on the increased Oklahoma excise tax. Lone Star thus disagrees with only a portion of the tax reimbursement increases tendered by Humble. In view of Lone Star's protest, the hearing herein shall concern itself with the contractual basis for Humble's rate filings, as well as the statutory lawfulness of the proposed increased rates, which pertain to sales to Lone Star.

[F.R. Doc. 67-12152; Filed, Oct. 16, 1967; 8:45 a.m.]

FEDERAL MARITIME COMMISSION

KAVIM SHIPPING CO., LTD. ET AL.

Security for Protection of Public; Cancellation of Certificate; Casualty

Notice is hereby given that pursuant to the provisions of section 2, Public Law 89-777 (80 Stat. 1357, 1358) and Federal Maritime Commission General Order 20, Amendment 2, (46 CFR 540.26(a)), that the following certificates of financial responsibility to meet liability incurred for death or injury to passengers or other persons on voyages have been returned to the Federal Maritime Commission for cancellation:

Kavim Shipping Co., Ltd./Jamaica Shipping Lines, Ltd. Certificate No. C-1036.
Companhia De Navegacao Lloyd Brasileiro (Lloyd Brasileiro). Certificte No. C-1052.

Dated October 12, 1967.

THOMAS LISI,
Secretary.

[F.R. Doc. 67-12255; Filed, Oct. 16, 1967; 8:49 a.m.]

COMMODORE CRUISE LINE, LTD.

Security for Protection of Public; Cancellation of Certificate; Performance

Notice is hereby given that pursuant to the provisions of section 3, Public Law 89-777 (80 Stat. 1357, 1358) and Federal Maritime Commission General Order 20 (46 CFR 540.26(a)), that the following certificate of financial responsibility for indemnification of passengers for nonperformance of transportation has been returned to the Federal Maritime Commission for cancellation:

Commodore Cruise Line, Ltd. Certificate No. P-48.

Dated: October 12, 1967.

THOMAS LISI,
Secretary.

[F.R. Doc. 67-12256; Filed, Oct. 16, 1967; 8:49 a.m.]

SMALL BUSINESS ADMINISTRATION

[Delegation of Authority 30-6 (Southwestern Area), Disaster 636]

MANAGER OF DISASTER BRANCH OFFICE, HARLINGEN, TEX.

Delegations of Authority Relating to Financial Assistance Functions

I. Pursuant to the authority delegated to the Area Administrator, by Delegation of Authority No. 30 (Revision 12), 32 F.R. 179, dated January 7, 1967 and Amendment 1, 32 F.R. 8113, dated June 6, 1967, there is hereby redelegated to the Manager of Harlingen Disaster Branch Office the following authority:

A. *Financial assistance.* 1. To approve or decline disaster loans in an amount not exceeding $350,000.

2. To execute loan authorizations for Washington, area and regional office approved loans and disaster loans approved under delegated authority, said execution to read as follows:

(Name), Administrator

By ----------
Manager, Disaster Branch Office

3. To cancel, reinstate, modify, and amend authorizations for disaster loans approved under delegated authority.

4. To disburse unsecured disaster loans.

5. To extend the disbursement period on disaster loan authorizations or un-

disbursed portions of disaster loans.

II. The authority delegated herein may not be redelegated.

III. All authority delegated herein may be exercised by an SBA employee designated as Acting Manager of the Disaster Branch Office.

Effective date: October 2, 1967.

ROBERT E. WEST,
Area Administrator, Dallas, Tex.

[F.R. Doc. 67-12224; Filed, Oct. 16, 1967; 8:47 a.m.]

TARIFF COMMISSION

[TEA-I-12]

BROOM CORN

Notice of Investigation and Hearing

Investigation instituted. Following receipt on September 27, 1967, of a petition filed by the Rocky Mountain Farmers Union, the U.S. Tariff Commission, on the 11th day of October 1967, instituted an investigation under section 301(b)(1) of the Trade Expansion Act of 1962 to determine whether—broom corn, provided for in item 192.55 of the Tariff Schedules of the United States is, as a result in major part of concessions granted thereon under trade agreements, being imported into the United States in such increased quantities as to cause, or threaten to cause, serious injury to the domestic industry or industries producing like or directly competitive products.

Public hearing ordered. A public hearing in connection with this investigation will be held beginning at 10 a.m., e.s.t., on January 16, 1968, in the Hearing Room, Tariff Commission Building, Eighth and E Streets NW., Washington, D.C. Appearances at the hearing should be entered in accordance with § 201.13 of the Tariff Commission's rules of practice and procedure.

Inspection of petition. The petition filed in this case is available for inspection by persons concerned at the office of the Secretary, U.S. Tariff Commission, Eighth and E Streets NW., Washington, D.C., and at the New York office of the Tariff Commission located in Room 437 of the Customhouse.

Issued: October 12, 1967.

By order of the Commission.

[SEAL] DONN N. BENT,
Secretary.

[F.R. Doc. 67-12257; Filed, Oct. 16, 1967; 8:49 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 472]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

OCTOBER 12, 1967.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC 67 (49 CFR Part 340) published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protest must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protest must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six copies.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 3252 (Sub-No. 45 TA), filed October 5, 1967. Applicant: PAUL E. MERRILL, doing business as MERRILL TRANSPORT CO., 1037 Forest Avenue, Portland, Maine 04103. Applicant's representative; Frank J. Weiner, Investors Building, 536 Granite Street, Braintree, Mass. 02184. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Aviation gasoline*, in bulk, moving on Government bills of lading, from Newington, N.H., to Plattsburgh Air Force Base, N.Y., for 180 days. Supporting shipper: Military Traffic Management and Terminal Services, Department of the Army, Washington, D.C. 20315. Send protests to: Donald Weiler, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 307, 76 Pearl Street, Portland, Maine 04112.

No. MC 40446 (Sub-No. 1 TA), filed October 5, 1967. Applicant: BERNARD BARON, INC., 137-150 Blanchard Street, Newark, N.J. 07105. Applicant's representative: Morton E. Kiel, 140 Cedar Street, New York, N.Y. 10006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities*, as are dealt in by persons who manufacture sewing machines; from Warwick, N.Y., to Newark, N.J., restricted to traffic having a further movement to points in New York presently authorized in MC 40446 via New Jersey, for 180 days. Supporting shipper: The Singer Co., Post Office Box 440, Syosset, N.Y. 11791. Send protests to: District Supervisor, Robert S. H. Vance, Bureau of Operations, Interstate Commerce Commission, 1060 Broad Street, Newark, N.J. 07102.

No. MC 107496 (Sub-No. 595 TA), filed October 9, 1967. Applicant: RUAN TRANSPORT CORPORATION, ZIP 50309 Third and Keosauqua Way, Post Office Box 855, Des Moines, Iowa 50304. Applicant's representative: H. L. Fabritz (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer slurry*, in bulk, in tank vehicles, from Ames, Iowa, to points in Minnesota, on and south of U.S. 212, for 90 days. Supporting shipper: Walnut Grove Products, Second and Linn Street, Atlantic, Iowa 50022. Send protests to: Ellis L. Annett, District Supervisor, Interstate Commerce Commission, 227 Federal Office Building, Des Moines, Iowa 50309.

No. MC 108461 (Sub-No. 107 TA), filed October 9, 1967. Applicant: WHITFIELD TRANSPORTATION, INC., 300-316 North Clark Road (Post Office Drawer 9897), El Paso, Tex. 79989. Applicant's representative: J. P. Rose (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, with the usual exceptions, between Lordsburg, N. Mex., and Tucson, Ariz., serving the intermediate points of Wilcox, San Simon, and Bowie, Ariz., unrestricted so as applicant will be able to transport overhead traffic to sustain this intermediate operation. NOTE: Applicant intends to tack the authority requested herein with that held in MC 108461 and to interline with other carriers at Tucson, Ariz., and present gateways served by applicant, for 150 days. Supporting shipper: There are 66 shipper supporting letters and two connecting line letters of support attached to the application, which may be examined here at the Offices of the Interstate Commerce Commission, in Washington, D.C., or at the field office named below. Send protests to: Haskell E. Ballard, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 918 Tyler Street, Amarillo, Tex. 79101.

No. MC 114958 (Sub-No. 5 TA), filed October 5, 1967. Applicant: GEORGE H. BROWN, doing business as OCEANWAY TRANSPORT, Post Office Box 747, Florence, Oreg. 97439. Applicant's representative: Earle V. White, 2400 Southwest Fourth Avenue, Portland, Oreg. 97201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber, hardboard, paper products, and linerboard*, from points in Oregon west of the summit of the Cascade Range to Pacific Coast water terminals in Oregon on the Siuslaw, Umpqua, Coquille, and Rogue Rivers, and on Coos Bay and Yaquina Bay (excluding lumber moving (a) between points in Lincoln, Lane, and Douglas Counties, Oreg., and (b) from points in said three counties to Coos Bay), for 180 days. Supporting shipper: Sause Bros. Ocean Towing Co., Inc., 809 Terminal Sales Building, Portland, Oreg. 97205. Send protests to: A. E. Odoms, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 450 Multnomah Building, Portland, Oreg. 97204.

No. MC 119695 (Sub-No. 2 TA), filed October 9, 1967. Applicant: HAAG TRUCK LINE, INC., 570 West 17th Street, Indianapolis, Ind. 46202. Applicant's representative: John Lesow, 3707 North Meridian Street, Indianapolis, Ind. 46208. Authority sought to operate as a *common carrier*, by motor vehicle,

over irregular routes, transporting: *Lactose-sugar extraction of milk,* from Winsted, Minn., to Sturgis, Mich., and Columbus, Ohio, for 180 days. Supporting shipper: Pure Milk Products Co., Winsted, Minn. Send protests to: Bureau of Operations, Interstate Commerce Commission, 802 Century Building, 36 South Pennsylvania Street, Indianapolis, Ind. 46204.

No. MC 129411 (Sub-No. 1 TA), filed October 6, 1967. Applicant: DREWRY L. LUKE, MacArthur Drive, Camilla, Ga. 31730. Applicant's representative: Frank S. Twitty, Jr., Post Office Box 385, Camilla, Ga. 31730. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Cottonseed meal and peanut meal,* and *cottonseed hulls, corncobs and shucks, snap corn, shell corn,* and *peanut hulls* when moving in mixed loads with cottonseed meal and peanut meal, from Camilla, Ga., to points in Florida, for 150 days. Supporting shipper: Camilla Cotton Oil Co., Camilla, Ga. Send protests to: District Supervisor, G. H. Fauss, Jr., Bureau of Operations, Interstate Commerce Commission, Federal Office Building, 400 West Bay Street, Jacksonville, Fla. 32202.

No. MC 129434 TA, filed October 6, 1967. Applicant: CHARLES J. BANKS, doing business as CITY TRANSFER & STORAGE, 1310 North Bell Street, San Angelo, Tex. 76901. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Containerized household goods,* between points in Tom Green County, Tex., and points in Coke, Runnels, Concho, Menard, Schleicher, Irion, Sterling, Sutton, Crockett, Kimble, Reagan, Glasscock, Coleman, Brown, and McCulloch Counties, Tex., for 180 days. Supporting shipper: Vanpac Carriers, Inc., 2114 MacDonald Avenue, Richmond, Calif. 94801. Send protests to: Billy R. Reid, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 9A27 Federal Building, 819 Taylor Street, Fort Worth, Tex. 76102.

No. MC 129435 TA, filed October 6, 1967. Applicant: FRED's TRANSFER & STORAGE, INC., 305 Baker, Post Office Box 410, San Angelo, Tex. 76901. Applicant's representative: Ray L. Dickens (same adress as above). Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Containerized household goods,* between points in Tom Green County, Tex., and points in Coke, Runnels, Concho, Menard, Schleicher, Irion, Sterling, Sutton, Crockett, Kimble, Reagan, Glasscock, Coleman, Brown, and McCulloch Counties, Tex., for 180 days. Supporting shippers: DeWitt Freight Forwarding, 6060 North Figueroa Street, Los Angeles, Calif. 90042; Perfect Pak Co., 1001 Westlake Avenue North, Seattle, Wash. 98109; Garrett Forwarding Co., Post Office Box 4048, Pocatello, Idaho 83201; Lyon Household Shipping, 1950 South Vermont Avenue, Los Angeles, Calif. 90007. Send protests to: Billy R. Reid, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 9A27 Federal Building, 819 Taylor Street, Fort Worth, Tex. 76102.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 67-12247; Filed, Oct. 16, 1967; 8:48 a.m.]

[Notice 43]

MOTOR CARRIER TRANSFER PROCEEDINGS

OCTOBER 12, 1967.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 279), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-70012. By application filed October 10, 1967, BOSSONG'S COMMERCIAL DELIVERY, INC., 145 Long Branch Circle, Liverpool, N.Y. 13088, seeks temporary authority to lease the operating rights of THE DELIVERY CORPORATION, Arterial Road, Syracuse, N.Y. 13208, under section 210a(b). The transfer to BOSSONG'S COMMERCIAL DELIVERY, INC., of the operating rights of THE DELIVERY CORPORATION, is presently pending.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 67-12248; Filed, Oct. 16, 1967; 8:48 a.m.]

[S.O. 934, ICC Order 7-A]

ST. LOUIS-SAN FRANCISCO RAILWAY CO.

Diversion or Rerouting of Traffic

Upon further consideration of ICC Order No. 7 (St. Louis-San Francisco Railway Co.), and good cause appearing therefor:

It is ordered, That:

(a) ICC Order No. 7 be, and it is hereby vacated and set aside.

(b) Effective date: This order shall become effective at 12:01 a.m., October 12, 1967.

It is further ordered, That this order shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that it be filed with the Director, Office of the Federal Register.

Issued at Washington, D.C., October 12, 1967.

INTERSTATE COMMERCE COMMISSION,
[SEAL] R. D. PFAHLER, *Agent.*

[F.R. Doc. 67-12249; Filed, Oct. 16, 1967; 8:48 a.m.]

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